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THE NEW REPUBLIC

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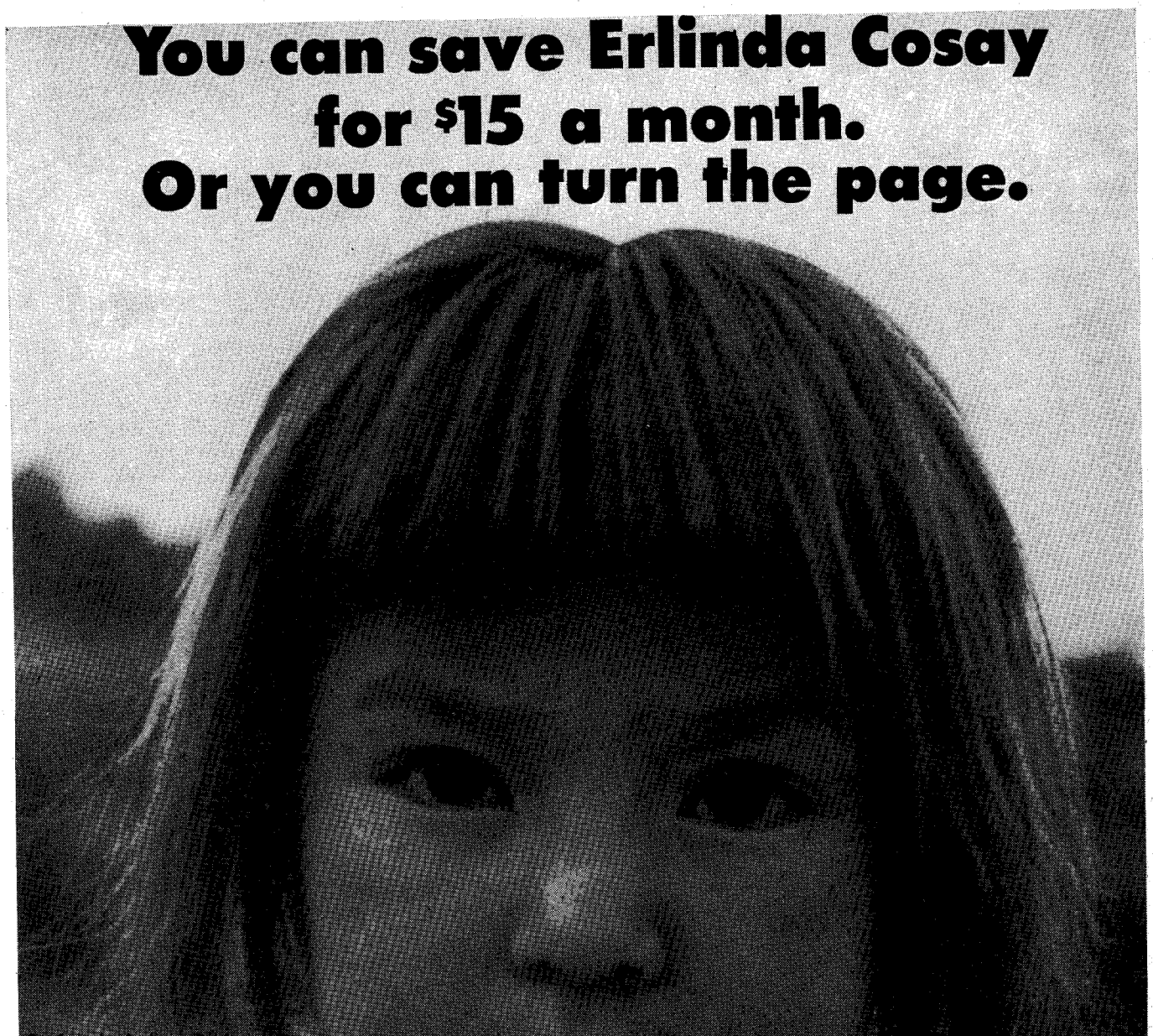

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TRB

from Washington ®
November 4, 1972

Why They Died

They are putting up the scaffolding now for the inaugural stand at the east front of the Capitol where the new President will take his oath and deliver his address next January. The bare planks haven't been painted yet but in a week or so they will be covered with white to harmonize with the great building and the majestic dome towering above, where Roosevelt spoke, where Wilson spoke, where Lincoln spoke.

Whether there will be peace by that time we don't know. The polls say President Nixon will be reelected, and he is now twisting General Thieu's arm to get a ceasefire before election. Four years ago Lyndon Johnson tried to get Thieu to come to the conference table, but the adroit general was too slippery for him. Johnson had stopped the bombing and Nixon looked like a better bet to him.

And now come the brutal questions that can't be dodged. What have all our young men given their lives for? What have all the million and a half Vietnamese that we have killed by continuing the war since 1969, given their lives for? What has all the slaughter of four years gained that could not have been accomplished if the President had made the peace he promised when he took office? What have we been fighting for? I will tell you what we have been fighting for. It was put succinctly last week by John Connally in behalf of his superior, Mr. Nixon. We have been fighting so that we can say we have left Vietnam "without surrender and without staining the honor of the United States." We have been fighting, in short, to save face. As simple as that. Or to put it colloquially, as Connally put it, "we are not coming out of Vietnam a defeated nation, with our tails between our legs."

Some said it was to make Vietnam a democracy. Nonsense. Some declared it was to save Asia from going Communist, to prevent other nations from falling like dominoes. Just lies, folks. We were fighting so that we could hold our tails erect. We were fighting because we had mistakenly got into the mess and Mr. Nixon (who in fairness to him did not create the mess) did not want to say he was the first President who had lost a war. Better to kill all those people than say that.

The great bombers come silently, at 30,000 feet, and the first the 14-year-old peasant boy knows of it is the whistle of falling bombs before he is rushed to the hospital with an arm torn away. The peasant woman looks up from her smoking home that holds her dead daughters and curses the Americans. In the bomber high overhead, it is all very controlled and orderly. There is no passion; they have no hatred. They have merely brought mechanized mass slaughter to a backward country, as impersonal as the body count. The ratio of killing in terms of United States population would be eight or nine million (including, of course, women and children). Sometimes there are mistakes. There was that bomb in the French diplomatic mission at Hanoi that killed somebody with white skin. Very unfortunate, of course. But accidents will happen in war.

Yes, we wonder about that oath-taking ceremony next January at the place where Lincoln once delivered his second inaugural. Then too, it was wartime, you remember, and before the tall, gaunt figure came to his great beatitude, "with malice toward none, with charity for all," he uttered as terrible a pronouncement of doom and retribution on the blood-letters, on the exploiters of the weak and helpless, as has ever been heard on this continent —"until every drop of blood drawn with the lash shall be paid by another drawn with the sword." That is a different approach, of course, from the way John Connally sees it. As for Mr. Nixon, if he's the man next January, he will doubtless give us another lift from a driving dream.

So far as peace in Vietnam goes, as we understand it, it will not reduce the cost of the Pentagon defense budget at all. This currently amounts to about $78 billion annually and in order to reach arms control agreements with the Russians, under the Nixon program, we must increase expenditures so that we shall have something to trade off. George McGovern has proposed cutting defenses substantially, say about $10 billion a year. But Budget Director Caspar W. Weinberger told a Los Angeles audience the other day that cuts like that would soon mean unemployment for 1.8 million people: a "reckless attack on the economy's technological base." Weinberger is one of the nicest and most conservative men in Washington and it was interesting to see him adopting the straight Marxist line that a free economy requires a war boost to sustain prosperity.

Currently 30 cents of every federal tax dollar goes directly into military spending and another 10 cents to pay for past wars. Under current Nixon plans, military spending will reach $100 billion by 1977, a rise of a third in four years.

We don't agree with all McGovern's campaign arguments but we are impressed by his panel on national security—Clark Clifford, former secretary of defense; Paul Warnke, assistant secretary; Charlie Schultze, one-time director of the budget; Rear Admiral La Rocque (ret.); Lieutenant General James Gavin (ret.), and people like that. They don't want the US to be a pitiful, helpless giant. They want a military defense second to none, but they think the defense budget is monstrously inflated. Even a layman wonders. There are more colonels and naval captains today, for example, for a force of some 2.3 million men than there were for our whole World War II force of 12 million. It does seem odd.

There are other questions. Don't we have more men abroad than we need (319,000 in Europe)? And the cost overruns in procurement are simply fantastic. The F-14s that were to cost $11.5 million each will cost $20 million, and so on. Most recent GAO figures show that 45 major weapons have increased $36.5 billion over original estimates. It isn't pacifism to ask these questions. The Pentagon wants a new Trident submarine missile system and each one would cost (wow) $1 billion! The Pentagon wants 30. Former CIA Deputy Director Herbert Scoville, Jr. says, wouldn't it be more sensible to wait to see what threat may develop, since we will have adequate lead time if any breakthrough in new techniques occurs? Surely it isn't unpatriotic to ask these questions.

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Four More Years?

The central question has been put by the Republicans: Four more years for Nixon? We say no. Four more is four too many, not because we expect that Nixon in his second term would transform this republic into a police state: we see neither doomsday nor Eden by 1976. And not because the past four years have been wholly unproductive. The President has been more adaptable, more innovative than the skeptics allow. The choice this November is not between good and evil, but between the performance of one fallible man and the promise of another. We prefer the promise, and we shall try to explain why.

An endorsement of McGovern may, of course, be regarded as having the force of a feather in a hurricane. The polls and most columnists and editorialists have told us that the outcome is in no doubt. We are advised that Jews, worried about Israel and employment quotas, have abandoned McGovern; that labor (that is to say George Meany) doesn't like McGovern; that factory workers, deprived of George Wallace, will vote Republican; that the wealthy, alarmed by McGovern's tax program, will do likewise; that the middle class thinks the streets will be safer under Nixon; that the "ethnics" are in a mood to crack down on dissenters and draft dodgers; that the blacks are apathetic; and that students have become disenchanted with the Democrat they loved in Miami. Elsewhere, one hears that Nixon's the one because Nixon can do what McGovern wants to do, and get away with it; he's the one to dissuade the Republicans from charging "sellout" when the war is ended; he's the one to contain right-wing outrage over trade with Russia or China; he's the one to keep kooks in line when it is proposed that every American be guaranteed a decent minimum income. We've heard all that, and maybe it's all true; maybe Democratic defections are as deep and as wide as publicized. But if they are, we are puzzled by the fact that so many new voters are registering Democratic and we don't understand where the deluge of contributions to McGovern is coming from. We aren't obliged to understand, however. We are only obliged to make a choice between two competitors—and, it should be added, two parties: one in which progressive leaders are isolated, the other in which they're not.

It has been an odd campaign. One candidate has been talking for two years about issues, while his opponent glides toward November

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7 as if bound for a coronation—a smile here, a wave there. The challenger is ridiculed for changing his mind about welfare payments or his vice presidential nominee; the incumbent is praised for changing his mind about China or wage and price controls. The President's men boast that he runs a tight ship (ignore the Watergate) in contrast to confusion and chaos within McGovern ranks—as if the position of the two candidates were comparable. As President, Mr. Nixon is indisputably the boss of his party, able to grant or withhold favors, abetted by a large and tried staff and unrivaled command of the news. McGovern has had to recruit from scratch, making use of volunteers, many of them undisciplined by prior political experience. What is remarkable about McGovern's operation is not its disorder, but that, out of power and outspent two to one, it has stayed on its feet to fight.

No campaign in memory has foretold precisely what an incoming administration will do. If promises had been translated into reality, Franklin D. Roosevelt would have balanced the budget in his first term, Lyndon Johnson would have sent no American troops to Indochina, and Richard Nixon would have sold no wheat to Russia. But in 1972 there is only one candidate whose promises can be tested on the scale of presidential performance. We do know what Richard Nixon has been and done in the White House. And beyond that, we suspect that we've had the best of of him, that his need for Democrats and independents to help him in 1972 has had a salutary effect which reelection would diminish.

The best can be quickly stated: Nixon's negotiations with the Communist nations, having as their purpose the widening of commercial and cultural contacts and a slowing down of the arms race. If George McGovern were not committed to these purposes we would not be for him. But they are now bipartisan, thanks in part to Richard Nixon. The bipartisanship is important; it is also limited. Cheap Republican charges about McGovern's leaving the United States naked in a world of wolves is not worth comment. The senator is not being counseled on military security by baby lambs: that is not how to describe such McGovern advisers as Clark Clifford and Paul Warnke.

The country's problems won't go away in the next four years, no matter who's elected; if some are on the way to solution, others will take their place. The public is right to be on its guard against rhetorical revolutions of false expectations—New Freedoms, New Deals, New Frontiers—just as it's right not to give up hope of progress. As we catch the drift of McGovern's thought, it is both progressive and prudent. He believes we can do far more for the disadvantaged than we have; that an ever-rising GNP is not the Ultimate Good but is desirable; that the streets have to be well policed, but that more cops, more hardware, more preventive detention or longer prison sentences aren't the miracle drugs that will cure crime. Recognizing that the cycle of renewal and deterioration that has marked the rise and decline of our cities cannot be easily altered, Senator McGovern nevertheless would not neglect urban revival. He is not so naive (who is?) as to think that more money for education or more school desegregation will produce instant learning or instant brotherhood; yet he would not keep education on a subsistence budget or lock children into racial isolation. He wants a more equitable distribution of the national income, but in addition a radical improvement in the quality and safety of what we consume. He respects civil liberties without minimizing everyone's right to protection from lawbreakers. He supports an adequate military defense but would question whether the definition of "adequate" ought to be left to the military-industrial complex. He rejects the idea that the United States has a manifest destiny to use its military power to put down civil disruptions abroad or to protect US business investments around the world.

This may be too general and too idealized an estimate of the senator, but that is our reading of his intentions. If we were half right, we would still be on his side, and the reason is the alternative. To prefer McGovern is to affirm a lack of faith in an administration whose leader won't debate the issues, who won't disclose the source of $10 million in contributions, who won't acknowledge the skullduggery of secret funds or bugging and burglary by his campaign workers, and who watches sports on TV while the largest, peaceful antiwar protest ever seen in Washington is taking place outside his barricaded White House. We choose to avoid another four years for an administration that depreciates the judiciary by second-rate nominees to the Supreme Court; that panders to prejudice by attacking judicial "permissiveness"; that abuses the press for doing its duty; that holds in contempt the decency of young men who would not participate in the indecency of Vietnam; that throws its protective mantle around an army officer convicted of murdering women and children in Mylai; that accepts with benign neglect an unemployment rate of nearly six percent; that lays waste to a peasant country for the sake of upholding a corrupt dictatorship, invades Cambodia and mounts the most ferocious bombing assault in history; that attracts to its banner such Democrats as John Connally and the mayor of Philadelphia; and that twice offers as its vice presidential candidate a man of limited intelligence and mean spirit.

If Mr. Nixon belatedly brings peace, we shall rejoice. But we shall remember who gave us four more years of an unjustified war. This has been the performance of the man who plays Archie Bunker on busing, John Wayne on defense, Scrooge on welfare, and the Sphinx when his campaign workers secretly sabotage the Democrats. It isn't good enough for a President, which is why we'll take our chances with McGovern.

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Will Thieu Tango?

We've been through the revolving door too many times to be sure we'll come out of it on October 31, or soon thereafter, with an Indochinese settlement, signed, sealed and delivered. But last week's broadcast from Hanoi on the terms of a tentative agreement that has been reached with the United States, followed a few hours later by Henry Kissinger's press briefing in Washington, provide the first solid encouragement that, in Mr. Kissinger's words, "a war that has been raging for 10 years is drawing to a conclusion." President Thieu may bluster, but the sound and fury from that source cannot block an accord if the White House has made up its mind that US policy will no longer be mortgaged to the present Saigon dictatorship. One test of the accord will be Thieu's willingness to let his thousands of political opponents out of jail and permit others to return from exile. Of critical importance will be the release from Saigon's prison of men of stature from the independent, nonaligned middle spectrum who are essential to forming the mediating, central component of the envisaged Council of National Reconciliation and Concord. It need only be pointed out that, fully backed by Ambassador Bunker and our military officials in Saigon, Thieu has heretofore been unwilling to risk unbolting the lid of political repression that he has clamped tight on political freedom in the South.

The tentative terms of settlement as outlined by Mr. Kissinger postpone certain key decisions. Hanoi and Saigon are to negotiate between them the release of all Vietnamese prisoners and detainees on both sides —a matter of considerable importance to the North. Likewise, the disposition of military forces in Vietnam is to be left for negotiations between these two governments, presumably within 60 days after an initial cease-fire agreement, as all American troops are being withdrawn. The withdrawal also applies to Allied troops, in particular South Korean forces which are mainly ground combat troops. As evidence of good faith, Mr. Kissinger points to the fact that the US has already suspended bombing below the 20th parallel. Although there is to be "a total prohibition" of reinforcement of troops "from any country" once the cease-fire takes effect, "existing military equipment" may be replaced with equivalent equipment by both sides, and there will be "no limitation" on economic assistance or continued US military presence in Thailand or offshore.

There has been a meeting of minds on the setting up of a Joint Commission (two or four parties) that will investigate complaints of cease-fire violations. In addition, Mr. Kissinger hopes that there will be in place when the cease-fire is "promulgated" an International Supervisory Commission (its composition is being discussed with concerned governments) which will discourage last-minute efforts by either North or South to seize more territories and take appeals from the Joint Commission's findings. Hanoi and Washington appear to agree also on the convening of an international conference, to meet within 30 days of the signing of a basic agreement—for the purpose of guaranteeing the terms of the settlement. The United States would participate in that conference, though not in the Supervisory Commission.

It is understandable that Mr. Kissinger should reject any insinuations that an agreement such as the one he outlines could have been reached four or two years ago. He says that not until October 8 did Hanoi accept a separation of military and political issues. Obviously, the draft agreement does not separate them. A cease-fire, the release of POWs, the limitation on bombing are tied to the emergence of a transitional authority in the South which is to not only "maintain the cease-fire" but "supervise the elections," the "nature and timing" of which are to be negotiated later by the Vietnamese. If it goes down better in Saigon and Washington to say that this transitional Council of National Reconciliation and Concord is not a coalition, we won't quibble.

Neither an international umpire nor a mixed Vietnam electoral commission including Vietcong representatives, nor both bodies put together, can be effective in monitoring new elections, however, if they try

Let's just say we've both got pull.

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to function under conditions wherein the present Saigon administration (with or without Thieu) is still in power. For the present Saigon regime has at its disposal a formidable repressive capacity, with the largest police force per capita in the world (125,000 men), an ongoing Phoenix program, and municipal, provincial, district and village officials appointed by Thieu. Whether we are finally coming out of the revolving door will be determined, therefore, by whether or not Mr. Kissinger is right in his conviction that "our discussions with Saigon will produce agreement within the same time frame that I have indicated to Hanoi."

Burger and Rehnquist

Chief Justice Burger and Justice William H. Rehnquist have been having a bad press.

Rowland F. Kirks, director of the administrative office of the United States Courts, visited House Speaker Carl Albert this fall and told him that certain provisions of a products safety bill Congress was considering would result in a substantial volume of litigation, further burdening an already burdened federal court system. Kirks was accompanied on his visit to the speaker by Thomas G. Corcoran, a Washington lawyer-lobbyist who had been active in opposition to the bill. Or perhaps Kirks was accompanying Corcoran. The order of visiting precedence hardly matters. Under no circumstances does Kirks have any business approaching members of Congress on proposed legislation in tandem with a lawyer-lobbyist for interested parties. Kirks has a statutory responsibility to be concerned with the impact of congressional action on the administration of justice in the federal courts, and to inform Congress of that impact as he foresees it. But he ought to stay miles away from parties in interest, their lawyers and lobbyists. There is no excuse for his failure to do so in this instance.

What, however, does this have to do with Chief Justice Burger? Jack Anderson reported that it was the chief justice who "sent" and "dispatched" Kirks to see the speaker as the chief justice's "envoy." That would have been an improper thing for the chief justice to do. But he didn't do it. House Speaker Carl Albert says that the chief justice's name was not mentioned by Kirks, and Kirks and the chief justice both state that Kirks' ill-advised visit to Albert was made without Burger's prior knowledge. No second Pulitzer for Jack Anderson on this one, any more than for his performance in the Eagleton affair.

"My duties as chief justice and chairman of the judicial conference," Chief Justice Burger said, "require me to comment from time to time on the problems of the judiciary and matters relating to the administration of justice. . . ." They do, unless Congress institutionalizes in some other office administrative supervision of the federal courts and responsibility for calling attention to the problems caused by a swollen and still swelling docket. Hence the chief justice has urged Congress to consider the impact on the federal courts of environmental and consumer protection bills which are likely to involve a substantial volume of new litigation. That is no comment on the desirability of environmental and consumer protection. Cynics who assume the chief justice is playing Republican politics when he speaks out in this fashion will find themselves one day confronted with a federal judiciary that cannot effectively perform either its established or its newly created functions. A lot of good that will do consumers and the environment.

Justice Rehnquist has been taken to task for participating in three cases decided last spring with which he is alleged to have had some connection while in the Justice Department, before his appointment to the Court. In two of these cases—the Gravel offshoot of the Pentagon papers controversy, and the *Caldwell* reporter's privilege case—the criticism is baseless. Justice Rehnquist played some part in the Justice Department's effort to suppress publication of the Pentagon papers by *The New York Times*, *The Washington Post* and other newspapers, and he apparently assisted in working out the department's general position, expressed in a set of published guidelines, on the reporter's privilege issue, and once made a speech on it. But the *Gravel* case, with which Justice Rehnquist is not alleged to have been connected in any way, posed quite different questions than the *Times* and *Post* cases, which were decided well before Justice Rehnquist's appointment. And while the *Caldwell* case raised on particular facts the general issues on which Justice Rehnquist's opinion had been earlier expressed, he is, again, not alleged to have had anything to do with the case itself.

Of course judges arrive on the bench with well-developed positions on a variety of issues, and they develop more of them as they sit. There was little doubt concerning Justice Black's position on New Deal economic legislation when he was appointed in 1937, or he would not have been appointed, and there was little doubt concerning his position on the First Amendment when he participated in his last decision, the Pentagon papers case, in June 1971. Disqualification is called for, not by the known prior commitment on an issue of public policy of a newly appointed justice, or by the similar commitments of a judge exhibited in prior decisions, but by a connection with parties or counsel in an actual case, or prior professional involvement with an actual case.

Justice Rehnquist was alleged to have been professionally involved before his appointment in *Laird v. Tatum*, also decided last spring. This was the case in which a majority of five, including Justice Rehnquist, dismissed a suit seeking to enjoin any further

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surveillance of civilian political activity by Army intelligence. The Court held that since plaintiffs had not claimed any actual or threatened injury to themselves, other than a supposed injury to the First Amendment rights of the public at large, no concrete controversy of the sort that courts can adjudicate existed.

While he was an assistant attorney general, Justice Rehnquist testified before a Senate committee that was looking into Army surveillance practices. He expressed the view that these practices, of which he did not necessarily approve, are not barred by the First Amendment, and he made two references to *Laird v. Tatum*, then wending its way through the lower federal courts. Neither reference was at all detailed. On this basis, the American Civil Liberties Union, which represented the losing parties in *Laird v. Tatum*, filed a motion before Justice Rehnquist asking him to disqualify himself from consideration of a petition for rehearing in the case, and from a second decision of it.

Requests for the disqualification of a Supreme Court justice, rare as they are, have in the past been denied summarily, without opinion. Regarding this motion as "seriously and responsibly urged," Justice Rehnquist filed a 16-page opinion. It is a serious and responsible document, allowing that the question is a close one on which "fair minded judges might disagree," but sticking with Rehnquist's prior decision not to disqualify himself. The heart of his argument is that he "never participated, either of record or in any advisory capacity, in the District Court, in the Court of Appeals, or in this Court, in the government's conduct of the case of *Laird v. Tatum*." There is no evidence to the contrary. The allegation that he nevertheless had intimate, official knowledge of the facts of *Laird v. Tatum* Justice Rehnquist denied.

There are rules of disqualification, concerning quite minor financial interests that a judge might have, which are designed to guard against the appearance of bias more than the probable fact of it. And it is for the sake of appearances also that a judge, once appointed, ought to avoid expressing views on public issues except as his duties require it in the decision of cases. But a heavy emphasis on appearances won't do in respect to positions a judge took before his appointment, else his capacity to serve in his first few years of office, and even later, may be badly impaired. Thus concern for appearances would have caused Justice Rehnquist to disqualify himself in the *Gravel* and *Caldwell* cases also, even though there was no justification for his doing so. He might have leaned over backwards and have disqualified himself in *Laird v. Tatum*, but he cannot be faulted for thinking it his duty to sit in that case as much as in *Gravel* and *Caldwell*. It remains to add only that where he did actively participate in the preparation of cases while in the Justice Department, Justice Rehnquist has disqualifed himself, as in the internal security wiretapping case.

Democrats for Nixon

After he won renomination, Vice President Agnew said he would no longer be the "cutting edge" he had been in 1968 and 1970. That role has been taken over by John Connally, who heads Democrats for Nixon. Connally's committee has reported receipts of $286,050.28. The largest contributors were two conduits of the dairy lobby, ADEPT and SPACE ($45,000). Loans from the Committee to Reelect the President ($799,000) provided the major source of funds.

The November Group, Inc. (CRP's in-house ad agency) has placed advertising for the Democrats for Nixon in the amount of $1,161,275.52, most of it for anti-McGovern TV spots. One ad opens on a worker wearing a hard hat and eating a sandwich. The announcer says: "The McGovern welfare bill would make 47 percent of the people eligible for welfare. Forty-seven percent: almost every other person in the country would be on welfare." The camera closes in on the worker. "Who's going to pay for this?" the announcer asks. "Well, if you are not one out of two people on welfare, you do." The camera freezes the worker in mid-bite.

Another ad opens on a formation of toy soldiers. The announcer says: "The McGovern defense plan: he would cut the marines by one-third." A hand sweeps away toy soldiers. "The air force by one-third." Away go the toy planes. "The fleet by one-half." Away go the toy boats. "President Nixon doesn't believe we should play games with national security."

On October 20, Democrats for Nixon purchased a half hour of prime time on CBS and NBC to broadcast a speech by Connally. Alluding to the "Mongol hordes which swept across the Gobi Desert" 2000 years ago, Connally accused McGovern of having a "naive view of the Kremlin" and of advocating a military posture that would turn the Mediterranean into "a Soviet lake."

What Money Buys

Reports filed 15 days before election day showed some $26 million as having been spent on behalf of the President's reelection. The final total will easily top $40 million. The Nixon organization of almost 400 staff people has added over 40 more as temporary advance men and field workers. Unlimited funds have permitted new variations on old campaign practices. Take George Tisler, who owns a beauty parlor in Ottawa, Illinois. He is one of 12 hairdressers from around the country flown to Washington by the reelection committee to make up their hairdressers-for-the-President committee. "Women walk into a beauty salon every day," Tisler says, "but we have never politicked in a beauty salon before." Now he has a

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picture of the President on the wall and an elephant and donkey on tables. He does quite a bit of talking to his customers and, thanks to a hint from Washington that local radio stations don't carry enough about Nixon, Tisler will be featured in a local morning talk show along with a representative of youth for Nixon. Tisler sends pro-Nixon letters to his local newspapers—another Washington suggestion. Funeral directors, farm families, barbers and dentists have been similarly recruited. A group of clergymen brought to Washington last month included a good number of black ministers and rabbis.

It's all very costly. Computer operations swallowed up close to $400,000 during September. In six weeks, $1.3 million was pumped into Nixon state organizations, suggesting that little if any money is being raised locally. Some $48,700 paid for some of the whoopla and the machines that blew confetti from the rooftops when the President visited Atlanta. By far the biggest chunk during September went for telephoning. Phone centers were in operation all over the country searching out—often on a fee basis—voters who support the President. Beginning September 1 and continuing the next six weeks, Burns International Security Services were paid thousands of dollars. Other security agencies in Washington, New York and Miami received substantial payments. Then there is the enigmatic ballot security operation run by none other than Murray Chotiner, who collected $12,000 in six weeks for surveys and expense reimbursements.

In 1976, when new campaign organizations are formed around new candidates, will there be one national "dirty tricks" organization or many? That depends in part on whether the men who allegedly set about disrupting Democratic pre-convention campaigning are exposed. Will there be organized, secret campaign fund-raising that violates the spirit if not the language of the law? That will depend on how Common Cause's disclosure suit against the Finance Committee to Reelect the President turns out, and whether Justice prosecutes alleged violations this year. Most important, will future campaign organizers have to fear that the Justice Department, Internal Revenue Service or other federal agencies really intend to enforce whatever laws on campaign funds and campaigning are applicable?

Every presidential campaign is different but each builds on the one before. What works one year is normally repeated until it fails. Beginning with the Johnson campaign in 1964 when Doyle Dane Bernbach created flashy spots, politicians have been intrigued with the imaginative ad. Nelson Rockefeller's 1966 campaign was an ad man's dream, and was imitated by Nixon in 1968. This year, spot ads on television have been downgraded. Sabotage, on the other hand, seems to have worked—and sabotage is a far greater danger to the electoral process than any television commercial.

The Nixon Watch

Reluctant Campaigner

Two of the few people admitted to the Westchester County Airport at White Plains, New York, in the early afternoon of October 23 were Governor and Mrs. Nelson Rockefeller. They arrived by car at 1:25 pm, five minutes before the President and Mrs. Nixon arrived from Washington in the President's jet. Reporters who had preceded the Nixons in a chartered press plane surrounded the governor and asked him what difference he thought the President's afternoon of campaigning would make in Westchester County. "Well," the governor said, grinning rather slyly, "he's never spent that much time in Westchester before this." It wasn't much of a dig or much of a joke. But the reporters and Rockefeller laughed together, enjoying for a moment the mild reminder that the President had spent very little time campaigning anywhere since he was renominated in August and that he and the governor had been rivals for the Republican nomination in 1960 and 1968. The moment passed and Governor Rockefeller scurried to the foot of the presidential ramp and looked up, all aglow in new alliance, at the Nixons as they emerged from their plane for the President's fourth day in two months of campaigning in the traditional sense.

One of the numerous assistants, Secret Service agents and other functionaries who also debarked from the President's plane was Dwight L. Chapin, the appointments secretary. Aged 31, handsome, superbly groomed, Dwight Chapin is always with the President on his travels. He behaved on this afternoon exactly as he always does, dashing toward and hopping into a car marked "Pilot 1" and, in it, taking his place near the head of the Nixon motorcade. There was something special about his presence this time, however. It was the President's way of showing that he didn't believe, or didn't care if he perchance did know and believe, that his man Chapin had taken part in recruiting political spies and saboteurs to disrupt the Democrats' primary campaigns. Close by the President, as always, was H.R. (Bob) Haldeman, the chief of the White House staff and the chief, too, of Mr. Nixon's political operatives. Bob Haldeman is Dwight Chapin's boss. Everyone in and around the White House assumes it to be a fact that Chapin would never do anything of the sort he had recently been accused of doing and hadn't denied doing if he didn't have Haldeman's authority to do it. Within 36 hours of the New York appearance, Haldeman would be said in a published report to have been one of the five Nixon associates who controlled the use of the campaign funds that were alleged to finance the spying and sabotage and would be saying through the White House press staff that the report "is untrue." *The*

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Washington Post reported in somewhat ambiguous terms that Hugh W. Sloan, Jr., a former assistant to Haldeman, had sworn to a grand jury that Haldeman was involved in financing the sabotage operation from Nixon campaign funds. Press Secretary Ronald Ziegler, speaking for the President, said that Sloan had denied through his attorney that his testimony implicated Haldeman and others mentioned in the *Post* report. Throughout the afternoon and evening of attendance in New York, he seemed to be his usual stern and confident self.

It was, all in all, the ordinary beginning of a strange afternoon and evening. The President, motorcading for more than three hours through 12 Westchester towns and villages, appeared to be preoccupied and tense behind the synthetic Nixon smile. The crowds along the streets and at the downtown squares and intersections were big and for the most part friendly, never overtly hostile. He left his car five times, was appropriately mobbed, and shook countless hands, once when he was standing in his open-top limousine and moving at 20 miles an hour. It was Veterans Day and he justifiably called the total throng "really a warm, friendly holiday crowd." McGovern supporters were out in force with enlarged photo-portraits of their candidate, pictures of Vietnamese dead in ugly heaps, and signs challenging their visitor to come clean about the sabotage and campaign funds charges. But there were many more Nixon signs.

Yet it seemed to some of the trailing reporters, this one included, that Mr. Nixon endured it all as if he were fulfilling a burdensome and repellent duty. His mind and true care seemed to be elsewhere. At a reception for some 200 Republican workers from the northeastern states at the Rockefeller family's Pocantico Hills estate, after the Westchester motorcade was over, he called in a dreary drone for his hearers to "get out the vote" and back Republican state and congressional tickets "up and down." He referred as follows to his coming appearances that evening at rallies in two Long Island counties: "I am going to be speaking a little later over at Nassau—is this Nassau? I am going to speak at Nassau and Suffolk, in Nassau. So we are now in Westchester."

The President's mind could have been, and most of us supposed it was, on Vietnam and the spate of peace rumors that he and his roving assistant, Henry Kissinger, had been stimulating since nomination time in August. Reporters on the President's plane were told during the flight from Washington that Kissinger had ended five days of secret talks with Thieu in Saigon and was on his way home. They were told that night that the President would confer with Kissinger as soon as the Nixon party returned to Washington, and again the next day. Remarkably, considering that it was Veterans Day and that on this day as always the President put predominant emphasis upon his quest for world peace, he referred only once in his three set speeches, and then only in a passing fragment of a sentence, to "the progress we have made in ending the war in Vietnam, with honor and not surrender." Mr. Nixon in New York surely knew in essence what Kissinger had to tell him about the latest round of talks with the North Vietnamese in Paris and with President Thieu in Saigon.

There could have been, and I suspect there were, two reasons for the President's unease and preoccupation. They were, in my guess, the state of the Vietnam negotiations and the cumulative campaign scandal. At a monster rally that evening, in a huge auditorium hard by the Nassau County airport, the war issue and the scandal issue hit Richard Nixon as nothing had hit him for months and he didn't like it. Three tiny bands of hecklers among 16,000 people in the hall messed up what should have been a triumphant occasion for him. Two of the groups were antiwar, one was pro-McGovern. Six or so antiwar shouters got into a fight with Nixon supporters and were thrown out by the police. Ten others, billing themselves Vietnam veterans, chanted "Peace now" and "Stop the bombing" and one of them yelled "Killer!" at measured intervals. They stood within 100 feet of the President, at his front and right, and they shook him as I haven't seen him shaken since the 1970 midterm campaign. He glared at them but never mentioned them and he had to pause, time and time again, when the crowd around the hecklers tried to drown their cries with counter-chants of "Four more years!" Perhaps 20 pro-McGovern youngsters, just behind the antiwar veterans, contented themselves with cries of "We want George" and an occasional scatological scream. Mr. Nixon glared at them, too, but not with the baleful intensity that he conferred upon the veterans. The heckling was outrageous, it was bound to make friends and votes for Richard Nixon, and it was oddly effective in its impact upon him.

At the Suffolk County airport, 15 minutes by helicopter from the Nassau hall, some 3000 people had been waiting at the airport fence for three hours and more on a damp and chilly night. Mr Nixon marched to the fence from his helicopter, spent a couple of minutes shaking hands, and then spoke for eight minutes from the ramp of his waiting plane. If such be possible, his utterances surpassed in banality his speeches at the Rockefeller reception and at Nassau. But, and this is the memorable thing, he pleased the people. They cheered his fatuities and then stood without a visible break, watching him retire into his plane with Mrs. Nixon. They continued to stand, staring at the floodlit plane, as it taxied away and leaped into the night. Their posture of frozen interest and pleasure left me thinking that Mr. Nixon is likely to get his majority and his mandate, after all.

John Osborne

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Going into the Stretch

Aboard with McGovern

by Paul R. Wieck

The day President Nixon went to Philadelphia to sign the revenue sharing bill, Pennsylvania's Governor Milton Shapp phoned the McGovern headquarters after the ceremony to ask that the staff be assembled so he could speak to them. His message: a tour of three southwestern counties where, only weeks ago, McGovern was in deep trouble convinced him the Democrats are "starting to swing" and, combined with heartening reports from elsewhere in the state, led him to believe there's a "big upsurge" for McGovern in Pennsylvania that could close the gap (some polls showed it at nine to 10 points in mid-October) and carry him to victory in the state.

The root cause of the upsurge, Shapp believes, is a "complete distrust" of Nixon combined with the strong pull of traditional Democratic loyalties in this highly industrialized state where new registrations have converted a 50,000-vote Democratic deficit into a 350,000 margin in two years, with independent registrations less than half the surplus.

Shapp's wasn't a lonely voice in Pennsylvania that day. His estimate of the situation was echoed by people in the crowds, crowds which ranged from good to very good for a briskly cold football Saturday. For the first time, the Watergate affair was mentioned without prompting. In Scranton, the first stop, a middle-aged insurance man explained: "People around here haven't trusted Nixon since the Checkers speech and, now, Watergate is hurting him among the middle-aged. People are talking about it now." That night in Pittsburgh, a retired steelworker said: "There's a real good groundswell in Allegheny County (Pittsburgh). People wanted to wait for a while before deciding and now there are just too many questions about Watergate. Laboring people just don't trust brother Nixon."

Why, in late October, is the Watergate affair suddenly catching on? Are people deciding they can't vote for Nixon *because of* Watergate? Or are traditional Democrats deciding they just *can't pull* that Republican lever and hanging it all on what Nixon called "a caper"? Shapp says, "There's the Watergate, the ITT, the grain deal, the slush funds. You're talking about hundreds of millions, about duplicity on the highest scales. It's so numbing to the ordinary person it's been hard to conceive. But it's all part of the distrust of Nixon."

The emergence of "distrust" as a real factor serves chiefly to offset the perception of McGovern as some kind of radical or of a man whose capacity to govern is in question. McGovern's half-hour talks—on Vietnam and the economy—have eased the worries of some. Shapp devoted all his speeches that day to the "radical" issue, pointing out that FDR, Truman and Kennedy were also charged with radicalism. "The Republicans are trying to scare people because the fat cats know where McGovern stands," Shapp told them. He told of going around the state "four or five weeks ago" when the climate was "frigid" for McGovern, when legislative candidates called to say "don't you understand why I won't be at the meeting tonight." He explains that McGovern's nomination came as "a shock" to traditional types in the party, that the deep split in labor worried them (Pittsburgh is home base of the United Steelworkers, the only major union with a record of political activism to withhold an endorsement of McGovern). The two statewide candidates on the ballot—State Treasurer Grace Sloan and Auditor-General Robert Casey—shied away. Only Shapp demanded support for the whole ticket. Now, a Shapp aide says, "The party guys are coming out. You saw them at every stop today. You wouldn't have a month ago. The governor has been leaning on them, saying he wants the whole ticket. And McGovern has more volunteers than anyone's seen in a long time. The local guys want their help."

Shapp's is a perspective from the top and it's good for only one of the 50 states. Are there any signs around the country to back up the Pennsylvania governor's optimism? There are some.

McGovern's half-hour speech on Vietnam loosed a flood of direct mail contributions that inundated his Washington headquarters, making it necessary to call in 150 volunteers just to open and count every night. Deposits for the week ending Friday, September 29, were about $700,000. For Friday, October 6, $800,000. Then on Tuesday, October 10, came the speech and by Friday, October 13, $1.5 million had been banked, leaving bags and bags of unopened mail stacked up over the weekend. By Friday, October 20, a total of $3.6 million had been processed and banked in one five-day period, an estimated $3.1 million from direct mail. If each sent in the $25 requested (that's too high for the average), it would mean 125,000 contributions were opened just that week. Nor is it limited to national headquarters. At state level, the flow of direct mail contributions picked up (it's running about $5000 a

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week in Philadelphia, alone). What does it mean?

McGovern's camp is elated over the final registration figures which, according to Ann Wexler, head of the Democratic registration drive, have boosted the total number of persons eligible to vote on November 7 to slightly over 100 million out of 120 to 125 million of voting age—a gain of 11 million. Here is the picture in some key states:

Texas: Registration up from 3.8 million on January 8 to 5.4 million, a jump from 50.4 to 68.6 percent of the voting age population. Wexler calls it an "incredible" performance, claims the post-primary accretion (perhaps as high as one million) are "mostly our people." The areas McGovernites worked were pinpointed with the help of polls by Pat Caddell, the McGovern pollster, and took in those heavily populated by blacks, students, Chicanos, servicemen (the McGovernites went after them), some rural, traditionally "populist" parts of east Texas. "Our people view Texas as a technical problem of getting out the vote," Wexler says.

California: Up about 2 million this year to a total of close to 9 million, of which 57 percent are registered Democrats (a margin of 2 million, considerably higher than before).

Illinois: Up from 73.9 to 79.2 percent of those eligible. Figures for Chicago and Cook County suburbs are encouraging. Of 200,000 registered in Chicago, 150,000 come from black areas; of 100,000 in suburbs, the vast majority were pre-canvassed by McGovernites to make certain of their preferences.

Ohio: Up from 63.2 to 71.1 percent of those eligible. In raw figures, it amounts to 667,000, most of which came from the cities with Cincinnati, Akron and Toledo doing "extraordinarily well." Wexler says "the McGovern people registered most of them."

Michigan: The figures are not complete but 90 percent of the students and 87 percent of the voting age population of Detroit are registered.

Nor is this limited to the big states. In New Mexico, the percentage of eligible voters registered zoomed from 69.6 to 83.5 with the Democratic share of the registration up from 61.7 to 64.4 percent. Washington's figures are up from 75.2 to 83.6 percent; Nebraska's from 69.6 to 81 percent.

It's important to collate the registration figures with the overall strategy of the McGovern campaign—to zero in on nine major states with 242 electoral votes and perhaps as many others with 50-plus, enough to put him over the 270 needed for an electoral college majority while, perhaps, falling several points behind in the popular vote because of overwhelming Nixon majorities across the deep South, in the Rocky Mountain states and in some of the Plains states.

McGovern's schedule is illustrative. His Saturday hedge-hopping across Pennsylvania was his sixth trip to Pennsylvania since Labor Day. He returned for the seventh time the following Monday. He has been to New York and Ohio seven times each, to Illinois five times, to Michigan and California four times, to Texas and New Jersey three times and to Massachusetts twice. Those are the nine major states with 242 electoral votes. He'll return to most of them before November 7. In addition, he has gone to Minnesota and Washington three times; Wisconsin, Oregon, Iowa and Maryland twice; and ten other states once.

The final ray of hope comes from the widespread McGovern canvass operation now underway in most of the populous areas. In recent days, canvass results show a hint of movement "off Nixon, on undecided." The "undecided" is running between 25 and 30 percent in many areas; however, it's coming off the normally Democratic vote with McGovern and Nixon usually splitting the committed. That's not good enough, registration figures or no registration figures.

There is some reason to believe the personal touch of McGovern canvassers may add a few points to the total, inasmuch as they're instructed to probe for the problems bothering undecided voters. At the end of each day, they return to the canvass office, write a brief note and enclose literature on the subject bothering the individual voters. Contrast this with reports from the Nixon telephone canvass in the Philadelphia area: It's designed to locate Nixon votes and, more often than not, conducted by paid workers. The McGovern people are getting reports of angry voters who have told a telephone canvasser they'd like an explanation of Watergate or the grain deal, only to have the Nixon canvasser read this prepared statement: "I'm sorry. I'm not permitted to discuss the facts."

Is this enough to spark the massive shift of voters necessary to produce a McGovern victory? Probably not. It sounds more like a strong surge of traditional Democrats in some heavily unionized areas back to the Democratic Party in the closing days, the kind of shift that brought Humphrey up to 43 percent in 1972.

The nagging thing about optimistic reports you hear in states like Massachusetts and Pennsylvania is all the little "ifs" tied to them. In Pennsylvania, it's Philadelphia. In New York, it's Brooklyn. In Ohio, it's Cleveland (registration was only so-so there). In Michigan, it's Macomb County and its anti-busing fever. In Texas, it's the "brass collar" Democrats in east and central Texas, the working class Wallaceites along the Gulf Coast.

Philadelphia is interesting. That city's huge black community (perhaps 27 percent of the vote) is heavily pro-Democratic but passive. As Vic French, the McGovern manager in the state, modestly put it: "We could be doing better there. Our primary problem is visibility plus getting the regulars and the independents in the black community together. We're stimulating a large number of campaign activities and literature drops." Unfortunately for McGovern, Philadelphia's black community is typical. His appearances

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in black areas or even on campuses with large black enrollments draw pitifully few black faces. Pool reporters described McGovern as wearily putting his face in his hand as he left, via helicopter, a Bedford-Stuyvesant rally with Representative Shirley Chisholm, which drew only a few hundred. Everywhere you go, there are few black faces in the crowds.

Shapp says the Democrats must carry Philadelphia by 150,000 to win the state (Humphrey carried it by 271,000 and won the state by 169,000). Others say 200,000 is more realistic although McGovern canvassers insist he's running well ahead of Humphrey in some rural and suburban Republican areas outstate. Between them, the black and Jewish "blocs" have over 50 percent of the vote in Philadelphia; however, the McGovern problem is with the so-called "Catholic ethnics" of Italian, Polish and Irish descent who have formerly contributed heavily to lopsided Democratic margins. Telephone polls of ethnic wards in Philadelphia in recent days show: Ward 45 (primarily Polish, some Irish): McGovern, 50; Nixon, 25; undecided, 25. Wards 53 and 54 (lower-middle class, predominantly white with an ethnic mixture of Irish, Polish and Italian): McGovern 915; Nixon 1065; undecided 645. McGovernites still say it represents "a huge shift from Nixon to undecided."

Nixon's chief ally in Philadelphia is Mayor Frank Rizzo, whose tactics may make him more of a liability than an asset on election day. Example: Young McGovernites got a court order allowing them to picket Nixon's Independence Hall rally; it was ignored by Rizzo's police who hauled them off for detention one by one. That had an unsettling effect on 2000 labor unions members carrying "anti-Nixon" signs who weren't molested and even on some people in the crowd wearing Nixon buttons. Example: Taylor Grant, a well-known TV interviewer with a long anti-war record, was fired after Rizzo brought public pressure on his sponsor, Philadelphia Gas Works. Example: McGovern's managers had to cancel a fund-raiser with Humphrey after 43 of the 50 persons invited (all had been major contributors to Humphrey) declined. All received calls from Rizzo or one of his aides; contracts with the city were mentioned. Question: How did Rizzo get the list? It was telephoned to Washington on Thursday (for a Tuesday gathering) and the invitations sent by Western Union. Were the phone lines tapped? Is there an informer at Western Union? Example: State Attorney General Shane Creamer sent an undercover squad into Philadelphia to investigate police corruption. Four of its members have been arrested by Philadelphia police, two roughed up. People are starting to call Rizzo "Il Duce."

Meanwhile, in south Philadelphia, Sargent Shriver was mobbed by the predominantly Italian workers at a clothing factory and Tony Cartogene, president of the Joint Council of the Amalgamated Clothing Workers in southeastern Pennsylvania and a popular figure in his community is heading up the Labor Committee for McGovern. Not long ago, he headed the Labor Committee for Rizzo in his successful mayoralty race. McGovern managers say they "very nearly" have the city's huge Jewish vote back, thanks in part to Rizzo.

The black community isn't the only one afflicted with apathy. To quote a McGovern worker in Philadelphia, which has dozens of campuses in the area: "We don't have the vast army of volunteers coming off the campuses we had in the primaries. We have enough to get the job done but none to export." Student registration is high, but even on Ivy League campuses you hear reports of surprising defections to Nixon and the polls show a close split in the youth vote. It's still probable McGovern will pick up the lion's share of the student vote in the key states, that Nixon's share is concentrated in the South and Rocky Mountain West where he doesn't really need them as McGovern does in Michigan or Massachusetts or California.

In contrast, there are signs of a pickup for McGovern among the labor rank-and-file, perhaps illustrated by a United Auto Workers (UAW) man at Bethlehem, Pennsylvania, who had canvassed workers in his plant. "It's the silent majority who's going to vote for McGovern," he said. From Toledo, Ohio comes a report of a McGovern rally at which 5000 jammed into a hall, a high percentage of them union men, to cheer wildly. Afterwards, a UAW regional man commented: "McGovern could have read the weather report and they'd have screamed just as loudly." In Philadelphia (New York, as well), few leaders from the construction trades have joined McGovern and in the Pittsburgh area pressure from I. W. Abel has kept local officers pretty much out of the campaign.

Despite the flood of contributions pouring into McGovern's Washington headquarters, the difference between now and election day may be money. McGovern doesn't have the cash in hand he needs for the kind of election-day operation (the "technical job" as they're saying in Texas) to pull out those millions of new registrants. His campaign has been hampered everywhere by the lack of money for literature, the demands of printers, the telephone company, of everyone concerned for "cash in advance."

Fighting a debilitating battle against his own image —as a radical, as a man who changes his mind, as a man with a "competency gap," McGovern remains the congenital optimist, the man who takes every "good luck" as a sure vote and every "we'll see" as a sympathizer. The candidate's face glows at the sight and sounds of the huge, cheering crowds that greet him. He talks about a "mounting tide." But as he nears the end of this exhausting quest he, too, has moments of gloom. Sure, the tide is rising. But can it rise that high in a few weeks? In enough states? If it does, it will not be because of anything McGovern does in the

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closing days or even because of anything his legions of volunteers do. It will be because a sentiment expressed by a steelworker at Bethlehem, Pennsylvania, grabs hold of the country in the closing days and causes one of those sudden, dramatic shifts. After explaining that the rank-and-file of his union weren't paying any attention to Abel's views (his local endorsed McGovern), he said: "We don't trust Nixon. It's law and order for other people but the Republicans can do anything they want. Those people don't give the American people credit for any intelligence. We want to be governed, not ruled."

The Heirs of Joseph Yablonski

Politics Mine-Worker Style

by James Ridgeway

For the first time W. A. (Tony) Boyle's United Mine Workers machine is seriously threatened. The slate of insurgents, put forward by Miners for Democracy, the reform organization which was built up after the Yablonski murder in 1969, is drawing considerable support from large working mines and stands a decent chance of winning the court-ordered election in early December. Boyle still commands the backing of the union organization and its attendant patronage operation, including the pensioner locals.

The reform candidates are low-keyed, earnest people. Arnold Miller, 49, a soft-spoken West Virginian, is the presidential candidate. He has worked in the mines since the age of 16 and helped to organize the Black Lung Association. Mike Trbovich, 51, the vice presidential candidate, was Jock Yablonski's campaign manager and probably is the best known rank-and-file spokesman for union reform. Harry Patrick, the candidate for secretary-treasurer, is a miner from northern West Virginia where he led his district in fighting Boyle's last contract. The insurgent campaign is focused on increased pensions and health and welfare benefits, improved safety conditions, reduction in administrative expenses and local autonomy.

One might think that Tony Boyle was his own worst enemy. The courts set aside his election in 1969. He was sentenced to five years in prison and fined $179,000 for embezzlement and misuse of union funds for political purposes. The courts removed him as trustee of the union's welfare and retirement fund, ordering restitution of $11.5 million in funds. Boyle was convicted of a breach of fiduciary duties by allowing the money to lie in interest-free accounts at the union-controlled National Bank of Washington. He is under orders to hold elections in seven districts where some 80,000 mine workers previously had been denied the right to elect union officials.

But these courts actions seem to have made remarkably little impress on Boyle. There is some doubt he knows what they mean. Last July he was before Federal Judge Howard Corcoran and this exchange ensued:

Q—Now, have you read Judge Bryant's decision holding your 1969 election illegal? . . .

The Court—. . . Did you read it, Mr. Boyle?

The Witness—No, I did not, Your Honor. . . .

Q—Are you familiar with the violations of the law which Judge Bryant found that the Union and its officers had committed?

A—Only that which I was told, and I don't know that that includes all of the findings of the Judge, but something about improper balloting or something of that nature. I don't recall those—something about sample ballots, they told me. And I fail to find anything in the law or in the constitution that prohibits either side from having sample ballots. My understanding is that Mr. Yablonski had sample ballots at the election, and we discussed that. But I don't recall these other findings that the Judge found. I would have to read it.

Q—. . . Do you know that you are under an injunction not to repeat the violations that Judge Bryant found?

A—No, I don't know that I'm under any injunction to do anything. I have made no speeches. I haven't read this opinion. I haven't had anything to do with it. . . .

Meanwhile, Boyle's stewardship of the UMW teeters along. Mine safety is a major issue among miners, but it was Boyle who praised Consolidation Coal Co.'s safety record after the Farmington disaster where 78 men lost their lives. This summer when Ronnie Statler, chairman of the Blacksville 1 local, phoned Boyle for help after a mine fire which claimed nine lives, Boyle's

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secretary said the union president was "too busy" to take the call. Boyle's signal contribution to mine safety came in 1971 when he bargained away the mine workers' right to strike on safety matters.

This is perhaps the most extraordinary act of Boyle's union career. It involves the Gateway Coal Co., a western Pennsylvania firm two-thirds owned by Jones & Laughlin Steel. In the Gateway case, brought in the late spring of 1971 before contract negotiations began, miners fought in court for the right to strike when mine conditions were unsafe. In that case three foremen had been shown to have deliberately falsified safety reports, meant to test the level of methane in the mine before each shift went underground. The foremen had not done so, indicating on the records nonetheless that the gas levels were safe. (In certain mines the accumulation of gas must be carefully watched lest it build up and explode from sparks caused by mining machinery.) In the Gateway mine the ventilation equipment broke down, causing the gas levels to rise. On discovering what had happened, miners refused to work with the foremen. The company insisted that the matter be handled through arbitration. The men said no, and went on strike. The company took it to court. In its decision, upholding the right to strike on safety matters, the US Court of Appeals held, "Considerations of economic peace that favor arbitration of ordinary disputes have little weight here. Men are not wont to submit matters of life or death to arbitration and no enlightened society encourages, much less requires, them to do so. If employees believe that correctable circumstances are unnecessarily adding to the normal dangers of their hazardous employment, there is no sound reason for requiring them to subordinate their judgment to that of an arbitrator. . . . The arbitrator is not staking his life on his impartial decision. It should not be the policy of the law to force the employees to stake theirs on his judgment."

While this suit was in progress, with the union's own attorneys helping to represent the miners, Boyle in national contract negotiations, formally agreed to arbitration of safety matters. Because he did, victory gained in the Gateway case must be set aside and the entire issue reargued at some future date after a fresh incident. The argument will be more difficult.

Under Boyle the pension fund keeps losing money. In the last year, ended June 30, it declined in value by $34 million to $87 million. The year before the fund lost $38 million. Miners get a measly pension of $150 a month. That compares with $405 a month for steelworkers, and $500 a month for auto workers. A miner who falls ill or is disabled gets one year's worth paid medical care. After that, nothing from the union.

In part the pension fund declined because millions of dollars were deposited in noninterest bearing accounts at the National Bank of Washington that the union controls. But there may be other reasons as well. The Miners for Democracy has turned up an unusual regional contract which permits certain mine operators to partially evade payments into the welfare fund. Under the national contract, supposedly applying to all mine operators, coal companies have been required to pay 40 cents into the fund for every ton of coal mined. That rate is to double by 1974. But in 1968 the UMW negotiated a separate contract with 16 coal companies representing 24 western mines. In this contract the royalty assessed was 20 cents a ton. Companies involved included Peabody Coal, the second-ranking producer nationally, and Kaiser Steel. The contract is labeled "sub-bituminous and lignite agreement," covering coals of lesser quality and, hence, value than bituminous. That provides a plausible reason for the reduced welfare payments. However, it turns out that the mines covered actually produce bituminous as well as the lesser quality coal, and in one instance, that of Kaiser Steel, the coal produced is the extremely valuable metallurgical grade used for coking. At any rate, these heretofore lower quality coals are now much more valuable because of their low sulphur content. They are in keen demand by electric utilities which are under orders to cut down on air pollution. Miners for Democracy figures this contract is costing the pension fund about $2 million a year.

The Miners for Democracy is a spare but impressive political organization which grew out of Yablonski's 1968 campaign against Boyle. The headquarters is at the *Miners Voice* offices in Charleston, West Virginia, where editors of the reform paper and about 25 volunteer or part-time workers coordinate and publicize the insurgent candidates. Don Stillman, *Voice* editor, is the major publicist who puts together six or seven pages of Miller campaign material every other week for inclusion in the *UMW Journal*. The *Journal* goes to all union members, and under court orders, Boyle must allow equal space to the opposition.

The courts also have ruled that the opposition has the right to station observers within the national headquarters in Washington, and in some 35 district or subdistrict offices around the country, and these observers are another focus of the campaign. The chief observer in Washington is Meyer Bernstein, who formerly was international affairs director for the Steelworkers. The other major unions have shied clear of Miller and are apparently unwilling to oppose Boyle. Bernstein's mere presence in the UMW office creates a touchy situation for he has long been associated with the Steelworkers. Indeed, I. W. Abel, the Steelworkers' president, not only publicly supports Boyle, but actually phoned him to apologize personally for Bernstein's presence in the office. Bernstein has proved to be an invaluable part of the MFD campaign. He discovered that Boyle was continuing to use union funds to pay Albert Pass his salary. Pass is in prison, unable to raise bail, on charges of murdering Yablonski. Jeremiah C. Collins of the Edward Bennett Williams law

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firm had written Boyle that continued payment to Pass might be likened to payment by a company of salary to a valued employee while ill or on vacation in expectation of further services. The Labor Department eventually agreed to block further payment to Pass on grounds that he was not submitting "activity" reports as the court had ordered.

Discoveries with legal implications are immediately funneled to the MFD's attorneys, a small group at the Washington Research Project, led by Chip Yablonski, son of the murdered candidate. They in turn are back and forth in federal court, seeking remedies.

But the major brunt of the campaign is borne by the three candidates who trek back and forth across the coal fields, talking to miners as they change shifts at bath houses. So far they have called at 300 different mines. For the insurgents access to the mine bath houses is crucial, providing them about the only sure way to talk to miners face to face. Some large coal companies, Peabody and US Steel among them, tacitly support Boyle by refusing the Miller people permission to come onto company property. Boyle himself makes periodic campaign trips, but steers clear of the bath houses. His major line is that his record as union president speaks for itself: he's brought the miners much higher pay. As for the MFD, it's controlled by outsiders, a combination of Communists and Rockefellers who funnel in money through foundations. Red-baiting has become a major issue in the campaign, and Justin McCarthy, Boyle's editor of the United Mine Workers *Journal*, is an ace at dishing it up: In the October 1 *Journal* under the headline "Radical Left Supports MFD" McCarthy points out that the *Daily World, Militant* and *Guardian* all have run articles favorable to the MFD, which according to McCarthy, makes them part of the campaign.

"Why are these radicals part of the MFD campaign team? We don't profess to know for sure, but the people who back these papers either want to nationalize (socialize or Communize) American coal mines or they want to destroy the UMWA and thus knock down what they call 'the establishment.' What they really want to destroy is the American form of government. Radicals still believe that the only way this can be started is through control of the labor movement, or second best, by neutralizing it. Coal miners! The Three Stooges are being backed by these people. Why? What have they offered the militant, radical, nonminer left-wingers? These outsiders are bad news for you coal diggers. Just like the clique of Washington lawyers and foundations, they want to destroy your union."

(Actually the Miller campaign is nearly broke. Total assets are about $5000. There is no foundation support of any kind. The bulk of support comes from $5 and $10 contributions by coal miners.)

In the mines, the Boyle men attempt to confuse and disrupt the insurgents' campaign. I traveled briefly with the candidates in western Kentucky, in the heart of the pro-Boyle country. The trip began in Central City, at the home of Charles Schmidt, a former miner who now works for the MFD as an observer at the district office and functions as an advance man for the candidates when they are in the area. Schmidt was taking Trbovich to a shift change at Island Creek's Hamilton Number 1 mine when I joined them. Hamilton Number 1 is a large underground mine, about 75 percent for Boyle. It was the mine where a man jumped out and delivered a karate chop to Yablonski in 1969. While neither Trbovich nor Schmidt talked about it, both were plainly apprehensive about going there. As we drove in the gate and up to the bath house, miners were changing shifts. Trbovich got out of the car, stamped out his cigarette and determinedly walked over to the two older men sitting on a walkway.

"Hello, I'm Mike Trbovich, candidate for vice president," he said, extending his hand.

Neither man would shake hands. "Forget it," one of them said, waving Trbovich aside.

Trbovich moved on, handing out literature. Many of the men wore Boyle stickers on their hats, and pointedly refused the Miller literature.

Trbovich was standing just inside the bath house building when an older man, dressed for the mine, rushed over and yelled scornfully:

"Bull shit. You people are full of bull shit."

Schmidt identified the man as Ben Wallace, the local's recording secretary and a Boyle functionary. Other men with Boyle stickers gathered around and began to shout and sneer at Trbovich.

"How much experience have you had in the mines?"

"I have worked in the mines for 30 years," Trbovich replied calmly.

"Bull shit," said a voice from the rear. "How much scab coal have you mined?"

"You scab," yelled another miner.

Trbovich said he had never mined any scab coal.

"What makes you qualified? What do you know about running a union?"

"I am president of my local," Trbovich said. He then tried to talk about disabled miners, the men he had met with missing fingers and hands, those suffering from black lung. But the miners at Hamilton Number 1 shouted him down. They would have none of it.

"You people tell lies," yelled Wallace, who pranced back and forth before Trbovich. "You don't know what you say. You talk out of both sides of your mouth."

"You're a fucking liar," Trbovich said, losing his temper. "And, I'll tell you one thing: Tony Boyle's going to jail. He's going to jail for murder."

"Put on the gloves," yelled a voice from the back of the room, only half in jest.

Another miner suggested the Yablonskis were murdered by their own people for failure to beat Boyle in the election.

It ended as suddenly as it began. Wallace scurried

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into the mine. Other Boyle men disappeared, and the tension in the room dissolved. The younger men, some of them teenagers who had been standing at the back, came up and respectfully argued with Trbovich about pensions, disability and so on. Some apologized for Wallace, and took Miller literature.

The candidates rarely discuss their own fear of being murdered, although it is always in the background. As they see it the trap is shutting on Boyle and his machine. If he loses the election in December, the ensuing purge will oust many district and local officials who have long been beneficiaries of Boyle's patronage. Not only will many of these men lose their jobs, but, more important, their books and records will be open to inspection, leading to more charges of embezzlement and misuse. The Miners for Democracy fears the local Boyle operatives will become more desperate as the election nears.

As it is, the candidates face an almost daily form of harassment. Trbovich, who travels under assumed names, told about the man who had followed him throughout his plane trip from Pittsburgh to Central City, always two seats behind him in the planes, two seats away in the waiting room, right behind him when he purchased a ticket. His teenaged daughter receives phone calls warning of the imminent murder of her father. A rifle shot narrowly missed him. A car parked across from his house for several weeks, a man constantly watching the front door. At Whitesburg, Kentucky, where the three candidates had checked into a motel, a group of men came looking for them. They were saved by a motel clerk who denied their presence. The men exhausted themselves scraping and kicking the insurgent's cars. In eastern Kentucky, a Boyle stronghold, the candidates rode with a shotgun on the front seat and pistols spread among the passengers. Trbovich recalled campaigning for the first time in eastern Kentucky. To get there he drove up a steep winding road from Virginia through a pass, then down a similar stretch into Kentucky. It is a strip of road, perhaps 12 miles long, full of twists, sheer drops, no guard rails, no houses, no gas stations. Trbovich had been warned that if he were to be murdered it would be on this stretch of road. And he recalled wincing at every turn, searching for hidden assailants behind every rock, waiting always for the blast of the shotgun.

The insurgent candidates all remember these tactics from Jock Yablonski's campaign—incessant phone calls to their relatives, lights behind them on the road, men shadowing them on airplanes—the harassment that wore Yablonski to a frazzle. This is the Boyle gang's real legacy. A union where the opposition candidates must dare to be shot for the right to speak to their fellow workers.

Government as the Employer of First Resort

Public Jobs, Public Needs

by Bennett Harrison, Harold L. Sheppard and William J. Spring

George McGovern's economic and urban affairs advisers have belatedly discovered the potential and need for a full-fledged program of public services to reduce unemployment and get done many things left undone by private enterprise. President Nixon meanwhile promises a second term of reduced government spending, and his Office of Management and Budget has killed the small existing Public Employment Program that gives jobs to about 150,000 people. Here then is one major issue on which the candidates differ. No matter who sits in the White House next January 20, it's an issue that will not die.

When Martin Luther King led the March on Washington in 1963, he called for "freedom and jobs." Jobs at decent wages, he said, would eliminate poverty and reduce inequality. He was right, but his prescription was ignored by those who developed and subsequently administered the war on poverty. We are still paying the price of their ignorance. Persistent poverty and underemployment are directly attributable to the conviction—among Democrats and Republicans—that those who cannot "make it" in our labor markets are unable to work at all, or lack the skills, drive and motivation needed to earn an adequate living.

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Welfare ("income transfer") programs are addressed primarily to the first group; they are based on the political decision to provide some (small) measure of distributive justice for the very young, the very old, the disabled, and those whose family responsibilities make it undesirable (in the opinion of the policy makers) to have them participate in the world of work. The social service and manpower development programs are concerned with the second group; they try to overcome "working poverty" by improving the skills, abilities, and attitudes of low-income workers, thus making them more "employable."

"Negative income tax" proposals recognize the substantial overlap between the two groups of disadvantaged citizens, but they then recommend a mix of welfare and job training programs with graduated incentives to induce people to move voluntarily "from the welfare rolls to the payrolls."

Both sets of policies assume that the economy generates a sufficient number of jobs (except perhaps during recessions) to accommodate all who want to work, and that a worker with a full-time job will earn enough to support his or her family at or above a *socially* defined adequate level.

Both assumptions are incorrect. Even in 1966, when we had what was conventionally accepted as "full employment"—less than four percent joblessness—people in the inner city ghettos studied by the US Department of Labor in its first Urban Employment Survey had "subemployment" rates averaging 33 percent. Again in 1970, the Census Bureau's employment survey in 51 central cities and nine rural counties enabled the Senate subcommittee on employment, manpower and poverty to estimate that one out of three low-income area workers was *subemployed;* that means, out of work, employed at poverty wages, locked involuntarily into a part-time job, or so discouraged by repeated failure to find a decent job that he or she had finally stopped looking altogether. *National* subemployment during the late 1960s may have been as high as 10 percent.

Recent and forthcoming studies by a number of social scientists report the failure of the education, training and welfare policies of the 1960s to reduce significantly the poverty and underemployment of millions for whom the labor market still does not provide an exit from the American underclass. In 1970, there were still over 11 million who worked 35-40 hour weeks—many of them not year-round—but who were officially "poor." The number of full-time *year-round* workers whose wages fell below the Bureau of Labor Statistics' Recommended Lower Level Budget for an Urban Family of Four Persons ($7000 in 1970) was 10.9 million—30 percent of our labor force. Especially for nonwhite workers, schools do not seem to reduce inequality; job training programs recycle their graduates back into the same kinds of low-wage, unskilled work they had held prior to training. And supplemental welfare payments serve more to subsidize the employers than enable the workers and their families to reach a decent living standard. There's nothing the matter with *their* "work ethic." The problem is with the economics and ethics of their industries. It is often assumed that those who stay poor despite expensive efforts to educate and train them really don't *want* to work. Researchers are finding, however, that poor motivation is at least as much the *result* of frustrated job expectations and entrapment in the "secondary labor market" as it is the cause of such immobility. This spills over into the controversy surrounding female-headed—especially black—urban households. Unstable family structure may be not only a cause of welfare dependency, but also a result of a woman's sensible caution about the support-reliability of the men in her circle, resulting in a need to depend on welfare, a need created by the inability of large numbers of urban black men (not all of them) to support families on the indecently low wages paid by employers in that part of the labor market to which they are confined.

The burden of our argument is that we need a strategy in place of, or in addition to, the present welfare/training approach to poverty and underemployment, one that allows funds to be used *selectively* to expand the output of those goods and services which are underproduced by the private sector. The expanded production of these goods and services would in turn create jobs. This alternative economic policy has become known as "public service employment."

The term is unfortunate. The things which a private sector systematically underproduces include goods (such as "clean" automobile engines) as well as services (such as fire protection). Moreover, the "publicness" of production derives not from the fact that government does the producing (many "public goods" are produced by private companies—and should be), but from the fact that private companies will not automatically supply adequate quantities of the publicly needed items. Without subsidies, it is not profitable for them to do so.

The term "public service employment" also has the stigma of "make-work," "boondoggling," and this has misled many to interpret it as a program of "government as employer of last resort." Even if one thinks that publicly subsidized job creation should be undertaken only during recessions, it is nonsense to argue that the things which can only be produced by governments or with the help of government subsidies—police protection, air pollution control, public health,

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mass transit, to name but a few—are not needed or wanted except when the economy is depressed!

The existence of "public goods"—things which privately organized markets systematically undersupply to consumers (even those with adequate incomes)—has been known to economists for at least 20 years. The growing imbalance between the production of "public" and "private" goods and services is the central theme of the work of John Kenneth Galbraith. Yet those who make our national economic policy (and nearly all who advise them), while they see and measure private affluence, are blind to the indicators of public poverty. Or worse, they act as if they believed improvements in public services are only expenditures, never investments in greater national and individual well-being.

Modest as it is, a current public employment program took nearly a decade to enact. The history is worth recalling. In 1964 Senator Gaylord Nelson (D, Wisc.) introduced a bill to finance $1 billion worth of jobs in conservation through a nickel a pack increase in the cigarette tax. Sargent Shriver's five-year budget projections for OEO included $3 billion for public service jobs. In 1966, the National Commission on Automation recommended creation of 5.3 million public service "last resort" jobs in order to cushion the impact of what was then perceived to be a technological "twist" in the private sector, away from tasks using unskilled labor. (Ivar Berg and Bennett Harrison have since shown that this fear is exaggerated; it is the credential and experience requirements demanded by *employers* that have become inflated, not so much the technical sophistication of the jobs themselves.)

Then, after the "long, hot summer" of 1967, Senators Joseph Clark and Robert Kennedy, along with Jacob Javits, reported out a modest Emergency Employment Act to provide work (and income) for the poor. It was strongly opposed, especially by the Johnson administration, which argued that with a national unemployment rate of only 3.6 percent, there were surely enough jobs already for "those who really want to work." The Clark-Kennedy bill never reached a vote; a Republican-sponsored, watered-down version was defeated by five votes.

In 1968, in cooperation with the Conference of Mayors, the National Urban Coalition commissioned a study to determine the net new jobs in a dozen categories of public services that could be created in cities of 100,000 or larger if new funds were available. In these cities alone, and at a conservative estimate, 300,000 new positions could have been created, ranging from semi-skilled to skilled and professional. The rub was that the cities did not have the revenues to provide them.

The recession of 1970-71 and the high unemployment of such politically articulate (or at least highly visible) groups as returning Vietnam veterans and aerospace workers, put new life into the idea of a public employment program. By the fall of 1970 it had been endorsed by the National Urban Coalition, the AFL-CIO, and the National Conference of Mayors, and the Employment and Manpower Act of 1970, containing a $2 billion authorization for public job development, passed both houses by a wide margin. The President vetoed the bill in December, arguing that it would create only "make-work WPA-type" jobs. Public jobs, said the President, are less "real" than private jobs.

A month later, January 1971, the Labor Department released its estimate of the December unemployment rate: six percent. Perhaps this figure carries some of the symbolic power for Americans that unemployment rates of three percent seem to carry in European nations. In any case, some political response was now mandatory. So when Senator Nelson again introduced public employment legislation (tailored to meet Nixon's objections to a "permanent" program, with a "trigger" mechanism so that the program would operate only when national unemployment exceeded 4.5 percent and would shut off when it fell below that threshold), even the minority leader in the Senate backed it, and in August of last year, the Emergency Employment Act became law. It provided $1 billion a year to state and local governments to create jobs for the unemployed and underemployed, with preference to be given to veterans.

What has happened? About 150,000 jobs have been created under the provisions of the EEA. But nearly five million people are still out of work, and at least 20 million more are underemployed. Recognizing the inadequacy of the present program, Senator Alan Cranston (D, Calif.) this spring introduced legislation for a $10 billion annual public employment program, tied not to the increasingly ambiguous unemployment rate, but to the national need for jobs at decent wages and an adequate supply of public goods and services. And last month, Senator McGovern suggested creating one million public service jobs, as an alternative to the perpetration of welfare dependency for those able to work. In hearings held before the Senate manpower subcommittee in April, four economists—Galbraith (Harvard), Robert A. Gordon (Berkeley), William Fellner (Yale) and Bennett Harrison (Maryland) arrived at remarkably similar forecasts of the probable impact of such legislation. The following estimates are based on their testimony.

Ten billion dollars at $8000 per job (including overhead and capital equipment where needed) would create 1.25 million jobs. According to recent evaluations of the Emergency Employment Act operations, and contrary to initial misgivings, only about 15 of every 100 subsidized jobs are filled locally by someone who was *previously* employed by the city. Thus, the $10 billion would actually result in a *net* increase of one million new jobs.

The Bureau of Labor Statistics estimates that a mil-

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lion new state and local government jobs will generate about 400,000 additional *private* sector jobs, through local government purchases of supplies and services from local businesses, construction contractors, etc. From 1962 through 1971, employment in the private sector *actually* created by state and local government purchases of goods and services expanded by 58 percent, while jobs overall increased by only 19 percent. The purchasing power of these 1.4 million workers will create about 600,000 *additional* jobs over the succeeding 18-24 months, for a total of two million jobs in all. We don't know for sure how and where these jobs would be allocated, but if we apply the current average mix in the economy (roughly four-fifths private, one-fifth public), then 480,000 of these additional jobs will be in the private sector, with another 120,000 government jobs (as governments at all levels expand certain activities *without* subsidies in order to meet the increased effective demand of citizens whose incomes have already risen, due to the subsidized program).

What we're projecting, therefore, is that a $10 billion federal investment would create one million jobs in state and local government, 880,000 jobs in private industry and 120,000 additional public sector jobs, spread over the federal, state and local levels. If half of the initial ("planned") one million jobs are reserved for people now getting unemployment compensation and/or welfare (at $2000 per person), then the US Treasury will save one billion dollars a year. Assume also that 20 percent of the other million jobs are (through a combination of federal pressure, presidential exhortation and local political organizing) allocated to such citizens, there's an additional Treasury saving of $400 million. The overall net saving in unemployment insurance and welfare payments might reach $1.4 billion per year.

Most econometricians believe that an extra $10 billion of deficit spending will bring $20 billion of additional gross national product. Given the average effective federal tax rate of 20 percent from all sources of income, this investment would return an annual flow of some $4 billion to the Treasury. The net social cost of a $10 billion annual program after 18-24 months (assuming deficit financing) would be only $4.6 billion ($10 billion minus $5.4 billion). The net benefits would be two million additional jobs at nonpoverty wages, $20 billion in additional GNP, and the added public goods and services that 1.12 million additional public employees could produce.

Economic forecasts, especially those based on simple averages rather than detailed models, are always subject to wide margins of error. Moreover, there is a real trade-off between two important results of the policy we have outlined: the number of jobs developed and the degree of training imparted on the job. The greater the latter, the higher the overhead costs, so that for a given expenditure (such as $10 billion per year), the fewer will be the number of jobs created. Nevertheless, a forecast of $4.6 billion cost for a return of 2 million jobs and $20 billion in additional goods and services (most of them "public" in nature) seems reasonable.

If that were achieved, the national unemployment rate would have been cut nearly in half. Its impact on underemployment would be much smaller (although existing low-wage private sector workers might find their competitive position improved somewhat by the expanded demand for unskilled labor in the public sector). But it would be a powerful start on "reordering of priorities."

A public employment program could be usefully combined with many other economic and manpower development policies. In 1970, the Supreme Court ruled (in *Griggs v. Duke Power Co.)* that educational credentials and written examination scores could no longer be used by employers as hiring instruments unless they could be shown to be statistically "valid," that is, significantly predictive of success on the job. The government might usefully combine a large-scale public employment program (which creates enough jobs to be able to allocate at least a portion to many different income and racial-ethnic groups with a concerted effort at real civil service reform, aimed at eliminating the "credential barrier" that now locks so many disadvantaged workers out of government jobs.

Administrators of the public service employment program could give much-needed help to the community control/local economic development movement which is growing in black and white areas (rural as well as urban) by allowing Model Cities and Community Action agencies, community development corporations and rural cooperatives to become "prime sponsors" of federal job development grants. In this way, ghetto and poverty area residents would be employed to produce and deliver public services to the residents of *their* communities and to rebuild the "infrastructure"—streets, lighting, power lines, sewers, subways—of *their* cities and towns.

Finally, planners might—and, we think, should—build into the employment program *from the start* a carefully structured on-the-job training component, so that those who are hired will be prepared (although not forced) to move "up and out" as other opportunities present themselves. This would also help to avoid the inflationary bottleneck which could be created by a shortage of skilled labor as the employment program drove the unemployment rate down below four percent.

A public service employment program of the scale proposed here would represent a qualitative shift of emphasis. Part of the "blame" for personal misery, frustration and lack of fulfillment would be shifted from the individual to the economic system, where it belongs. We would be moving in the right direction—the direction indicated so long ago at the base of the Washington Monument by Martin Luther King.

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Stanley Kauffmann on films

Fellini's Roma
(United Artists)

Young Winston
(Columbia)

The public agony of Federico Fellini continues, and continues to be extremely sad. He is metamorphosing from an artist whose works can be judged into an invalid whose symptoms must be diagnosed. All that talent, swirling around in that big man, grasping frantically and (still) futilely at *connection*.

Since *Juliet of the Spirits* (1965), which itself floundered down from *8½*, he has made *Toby Dammit*, an enjoyable episode in an anthology film, *Fellini Satyricon*, a coruscating junkpile, and *The Clowns*, an avowedly sentimental, often moving quasi-documentary about circuses. Now *Roma*, another quasi-documentary: of what the city meant to him as a provincial youth, how it seemed when he arrived, what it seems to him today.

Not a bad commission for a picture, and anyone who has never seen a Fellini film might be struck by the fertility and easy skill of this one. Unfortunately not many of us have the requisite ignorance of Fellini. We keep seeing remakes of what he has done before. The scenes of youthful longing are varied only slightly from those in *The Clowns*, which even then were not as good as in *I Vitelloni*. The burst of outdoor communal eating that the youth encounters in Rome is only a domesticated modern version of the feasts in *Satyricon*. Fellini's "typage" (Eisenstein's term) – the ability to select unusual faces that are self-explaining, that serve their functions without dossier – used to be a kind of wonderful caricature; here the method caricatures itself because it is so repetitious and because there is no main substance to which it can contribute. The brothel scenes are the nadir in this matter; the use of raddled faces of cheap whores is the last infirmity of a social commentator's art. Besides, after La Saraghina in *8½*, Fellini has said everything he has to say on the subject, which is precisely his problem on most subjects.

He hasn't even enough resource and observation to fulfill his own commission for this film. Desperate for material, he tacks on a long parodic ecclesiastical fashion show near the end, saying that he and his camera crew are going to visit an old lonely princess who lives in a huge palazzo. The fashion show is her dream. Why *her* dream in this picture? – except that it gives Fellini one more chance for clerical mockery, complete with drifting mist and dramatically shifting lights? Besides, why would a pious woman have dreamed this satirical dream?

He pads the picture with some rainy-day traffic sequences – blurred auto lights in the mist, for heaven's sake, from Fellini! (Together with a brief recap of the traffic jam from the beginning of *8½*.) And things are so low with him that the only way he can think to finish is to follow a bunch of night-time motorcyclists as they vroom through the city.

But I don't want to go on about it. Fellini has given me and millions much of the best pleasure we've had from films in the last 20 years. He is a victim of this age's gravest disease for artists: the inability to synthesize new subject matter out of experience, the shattering of creative confidence by the immensity of modern consciousness. I and, I'm sure, those millions hope for the best.

When Arthur Balfour was reading Churchill's *The World Crisis*, he remarked to a friend, "I am immersed in Winston's brilliant autobiography, disguised as a history of the universe." *Young Winston* is derived from a previous Churchill book, *My Early Life*, but it has the same quality of self-conscious epic, the god getting ready to descend. All the advance word portended ill: produced and written by an American, Carl Foreman (American idolatry of Churchill is often worse than the most fatuous in Britain); directed by a man noted for his middlebrow reductions of better men's art, Richard Attenborough. The result is pleasantly, unimportantly surprising. For a Big Bow-wow picture, it's entertaining, which is more than one can say for most such.

The script promises that this youthful adventure story is of consequence by opening with newsreel clips of the later, consequential life. As expected in historical pictures, there are numerous two-line vignettes of famous figures; Salisbury, Balfour, Joseph Chamberlain, Labouchere and others walk through with identification tags. This method is always farcical, but that sort of farce is one of the convoluted pleasures of the bio pic.

Facts, many and necessary, are a burden for this sort of story so Foreman has taken a hint from Godard. At different times Churchill's parents are interviewed individually by an unseen questioner. (The interviewer is made sardonically nasty to give the scenes some edge and to build nobility for the Churchills.) The bulk of the script is standard whoopdedo, remarkable only because it's largely true.

Attenborough's direction is undistinguished, thank heaven. When he tries

(continued on page 33)

Films Worth Seeing

The Candidate. Surprising, the resentment this (neatly made) film about a campaign has aroused among "sophisticates." Not the whole truth, but surely a big bitter part of it.

Chloe in the Afternoon. Eric Rohmer's sixth Moral Tale concludes his series of gentle, esthetic insistences that there is more to love and sex than modernist reductions.

The Emigrants. Max von Sydow and Liv Ullman in a well-made narrative of Swedes leaving Sweden for the US in 1844.

The Ruling Class. Peter O'Toole and a superb cast in a messy but well-written satire about a religious maniac who succeeds to an earldom.

La Salamandre. A funny, grave, important film. Two TV documentary writers want to write a script about a workingclass girl, but her reality is too much for them. Swiss, believe it or not.

A Sense of Loss. Marcel Ophuls, who also made the next film on the list, supplies information and perception on the hell in Northern Ireland.

The Sorrow and the Pity. Four and a half fine hours of documentary about wartime France and some survivors.

SK

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Tom Geoghegan on TV

Batman in The Heavenly City

It was the children's hour last month in the FCC committee room. Captain Kangaroo (CBS's Robert Keeshan) swore he hated pushing Schwinn bikes at kids for the first 15 years of his show, but to do good work in a mass medium, you take your money where you can and just hope they trust the old Captain. The FCC also heard from Bozo the Clown (Larry Harmon of Larry Harmon Productions), who did everything but cartwheels for the commissioners while he explained how he brought the miracle of commercial TV into the helpless lives of the little people. "Money a problem? Commissioner, just staying alive is a problem!"—so quoth Bozo, and well, thank God for Madison Avenue. Support for this came from Edmund Smarden (Carson-Roberts Advertising) and Eugene Accas (Leo Burnett Company), who believe quality TV is a function of mass marketing through mass medium. The ratings say children *want* to watch "Magilla Gorilla" and the "Lucy" reruns. All this talk about "quality children's programming" in Britain and Japan, it's just nonsense. It was commercial TV in America that brought "our kids" the moon and the Olympics, and they were certainly enriched by that, weren't they?

The network biggies, however, dapper young men like Robert Eisner of ABC, were too modest to make claims for the enriching effects of free enterprise. "Well, I can only speak for ABC (or CBS, etc.), and all I want to say is that the all-time greatest season of children's programming is just getting under way." The way it did last year, yes, but this time we're consulting even more famous educators and child experts; yes, we'll give you a list of them; yes, many of our shows have the same high quality as "Sesame Street"—oh, well, no, ABC does not have any preschool programs as such.

And so on through three days of panel discussions before the FCC, which the commissioners called following the dumping, by a reform coalition known as Action for Children's Television (ACT), of 100,000 angry letters in their laps last spring. In 1967 and 1968 ACT seemed to be just a coalition of mothers upset by the ultra-violence pitched at children in Saturday cartoons, but now it has grown up; and what it stands for has been substantiated by the success of "Sesame Street": children crave the kind of TV that the economics of mass marketing forbids. Or as Joan Cooney, who started "Sesame Street," told the commission, so long as the best programs cost you audience, "you have to remove children from the free enterprise system." Her programs can beat out all the others for the specific age group she tries to reach, but it must do so by writing off teens and older preteens well beyond their alphabets, the ones with the purchase power.

The scandalous hours are the "Batman" hours of late afternoon when the networks clear the air for the locals needing blocks of time to rake it in from local advertisers. The UHF commercial outfits seem the greediest of all, and the activities there and on the networks Saturday mornings, far from reflecting the cultural and regional pluralism of the country they serve, merely sell junk and drive the ACT ladies from motherly concern to Marxist analysis.

For all the veneer of social conscience, children's TV is the same old toy-and-cereal bonanza it has always been. The National Advertising Review Board seems helpless, and the self-regulation of the undersubscribed NARB Code is a joke—it won't even encourage members to "cluster" commercials at the beginning and end of programs. That pins the reformers' hopes on the FCC. But the Children's Television Unit there has concluded that the FCC cannot take commercials out of TV without financial catastrophe for the industry. By this point in the debate, bitter pragmatists like Captain Kangaroo and Bozo have split with the childlike visionaries of ACT: what else can they do? The FCC, they figure, has no stomach for restructuring the fiscal incentives for a huge chunk of the television empire. Not just to save children, anyway, who in the end are only one more special interest group. And not even a vocal interest group at that, since most of the little buggers seem quite happy with five-hour cartoon stupors.

In fairness to the FCC one should note the obvious limits to what it can do to program "quality." It can affect only the volume and timing of children's TV, it can't legislate a schedule of "Sesame Streets." Perhaps some day we can have social scientists compile a quality index or two, but for now, as Evelyn Sarson appreciates, "you just have to let creative people go and do whatever they want." In the meantime, the reformers can chew over the treacherous prospect of success. Do we really want children to watch 42 hours of "quality TV" a week, even if we knew what that was? "How do you get children to stop watching TV?" Robert Keeshan asked the commission. Then there is the ugly data from Coleman and Jencks. Would a "Misterogers," beamed at elitist little beavers in the suburbs, be all that welcome in ghettos? With that depressing thought the scene shifts to New Haven.

Two weeks after the FCC panels, ACT convened at Yale for its third national symposium on children's television, rehashing many of the same problems with many of the same panelists. In Washington the broadcasters had packed the committee room, hissed Nicholas Johnson, cheered free enterprise and surreptitiously briefed the commissioners on their good deeds before the hearings even began. In New Haven the Yalies jammed the Law School auditorium, the pediatricians outnumbered the advertisers, and the ACT reformers began to regroup around Professor Bill Melody's plan to phase out commercial children's TV.

What Melody's plan attempts is to push beyond child development into economic development: to dismantle part of the television empire and make it work without the profit motive. It would make a trial run of an ACT petition, now lost somewhere in the FCC files, that commercials be banned an hour at a time (try one pure hour, and if that works, try two). Melody thinks the networks can adjust slowly to a new economic environment, one in which there would be a mix of funds from government, foundations and institutional advertisers. ACT President Peggy Charren backs the plan and notes HEW has already moved to bankroll, for example, the Sutherland Learning Center in California to do spots for Captain Kangaroo. At Yale the plan was as loudly acclaimed as in Washington it was greeted with silence.

The plan would use the FCC to persuade the broadcasters to half-nationalize *themselves*—how else can one de-

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scribe a plan that looks to the good faith of network executives to make quality programs without the lure of the buck? Even the original ACT petition worried how such a future might work. Once the commercials disappear, won't networks write off kids as red ink? Won't the FCC *have* to force the networks to program 14 hours a week? The Melody plan leans ultimately on part-time institutional advertisers like Mattel, but it cannot chase Mattel's regular commercials off the air without bringing disaster for the way Mattel now mass-markets and mass-produces its toys. Perhaps it is best Mattel *should* go out of business, but it could all raise a nasty thicket known in regulatory law as "uncompensated taking."

Melody's plan also depends on the willingness of the Office of Education to bribe fat-cat executives with tax dollars. So far, though, HEW-funded programs on public TV have had narrow cognitive goals like remedial reading. With public TV dying on the administration vine, HEW may be a bit reluctant to move into big-time show biz —especially when a "quality show" like "Sesame Street" takes a capital investment of $7 million in R&D.

The problem will always be the same: how to pin responsibilities on the broadcasters, including the UHFs and independents who do the most atrocious work. It is impossible to touch most local broadcasters except through some long and expensive license challenge; and to make a license challenge stick, ACT will have to make a stronger case than just a dismal record in children's programming. If ACT had its way, TV would be a house divided, half public interest and half free market: BBC for the kids in the afternoon, "Hee-Haw" for the parents at night. Perhaps from the corporate jungle of commercial TV a little child shall lead them—but I suspect children's TV will suffer so long as us grown-ups put up with *our* TV.

NOTES ON CONTRIBUTORS

KENNETH EVETT *teaches in the College of Architecture, Art and Planning at Cornell University.* JILL HOFFMAN'S *first collection of poetry,* mink coat & other poems, *will soon be published by Holt, Rinehart & Winston.* JODI BRAXTON *is a black poet and a Danforth Fellow in Afro-American literature currently doing graduate work at Yale University.* DONALD T. ROTUNDA *works in the History Office of NASA.*

Kenneth Evett on art

Painting Maine

No wonder artists like to paint the coast of Maine. From Winslow Homer's territory on Cape Elizabeth to the remote haunts of John Marin on Cape Split, that part of the world offers a dazzling display of islands, rocks, pines, surf, flowers, coves, fog, grasses, moving water and clear light for the delectation of the painter. Plants and trees have achieved a hard-won individuality of form and the incoming action of the sea decorates the shore with visual treasures of shells, seaweed, driftwood and plastic trash as the gulls deposit their colorful droppings to enrich the scene. The coast abounds with good buildings; well-proportioned, well-made farm houses, classic colonial churches and homes, and generous 19th-century resort architecture fantasies. Often painted stark white, trimmed in black, these structures make a strong foil for the blue and green tonalities of the landscape. Although mobile homes, shopping plazas, real estate developments and industrial pollution are encroaching heavily, the balance is still on the side of unspoiled nature and civilized communities that reflect early American art and civic virtue. In these times, Maine is almost like a foreign country. Above all, it is a region where the forces of oceanic energy, wind, light and resistant rocky coast are merged with the passage of boats and the flight of birds in a great contrapuntal rhythm.

In addition to Homer, such artists as Marsden Hartley, Waldo Pierce, Henry Poor and various Wyeths have painted there, and contemporary painters like William Kienbusch and Fairfield Porter have successfully employed modern modes for seeing and painting Maine. And of course hacks of every degree of competence have turned out the same old harbor scenes and storms at sea year after year. Of all the artists who have painted Maine, John Marin brought to the action an unusual sense of truth that was born of devotion and intimate knowledge. He gazed at that body of land and sea with the ardent attention of a lover, and his passion for the forms and moods of the Maine coast became the most potent force in his work. Marin's first recorded painting, done at age 18, was a watercolor. That medium, ideally suited to his vision and temperament, sustained the major burden of his creative drive throughout his long life.

Watercolor is the medium of quick decisions and unpredictable surprises. The pigments flow freely in their liquid element and demand brush strokes of immediate commitment and continuity. The wayward interplay of colors and water on the paper generates accidents, random pools and patches that are wild, anarchic. Therefore the medium requires controlled nuances and precision. Those transparent half-tones that give watercolor its inner radiance can only be produced by careful dilution and subtle mixture. It is an unforgiving medium. Because the pigments rapidly penetrate the paper and dry with finality, second chances are rarely granted, so the watercolor painter is constantly teetering on the edge of esthetic disaster. One false move and he's done for. This condition lends drama to the process and of necessity requires both great concentration and a willingness to take chances. Marin would set out on foot or in his beloved boat, select a site of interest, establish himself, and then write out in his own vigorous calligraphy the images that expressed his transcendental pleasure at being *there.*

Marin is to 20th-century American painting what Charles Ives is to modern American music. Both men were mavericks with strong emotional ties to 19th-century American values. Both intuitively evolved radical modes of creation that paralleled similar but more self-conscious and sophisticated innovative moves in Europe. Both achieved an original process of expression that was somehow immune to the fluctuations of coterie taste. In his capacity to "let go"—to use his phrase—Marin matched the emotional intensity of European expressionism. Through his pantheistic awareness of interdependent visual connections between earth, sea and sky, he arrived at a pictorial conception of surface unity and emancipated planes that related to Cubism. By his emphasis on direct gesture and improvisation, he anticipated action painting of the '50s. In the heyday of Abstract Expressionism, when every folly was witlessly accepted, Marin was claimed as a spiritual

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uncle of the movement, even though his distaste for nonobjective painting was well known. His goal was not to spin out abstractions from within, but to realize in paint his vision of animate nature. In the process, he also evoked extravisual sensations of odors, salt air and pines, of time passing, and of the sounds of waves and wind. At his best, Marin achieved a harmony with nature that approached the "spirit resonance" of the great Chinese landscape painters.

Recently, Cleve Gray put together a well-designed and interesting book called *John Marin by John Marin* (Holt, Rinehart & Winston; $22.95), a collection of the artist's writing, with reproductions of his work. Unfortunately, Gray has a knack for finding atypical and relatively minor examples. Marin occasionally resorted to trite geometry and slaphappy mark-making when his concentration was flagging, and as Gray has loaded the book with these lightweight lapses, the images don't match the authority of the writing. In spite of his quirky syntax and heavyhanded colloquialisms, Marin's verbal creations have something of the emotional intensity and liveliness of his paintings. A compendium of his sayings would make a useful handbook for young painters: "Drawing is the path of all movement Great and Small—Drawing is the path made visible. . . . My line pulls that weight down—my line pushes that weight—my line can swing in any direction—*truly wonderful*—it can hold it can release. . . . The drawing is a form of symbolic writing. . . . In painting water make the hand move the way the water moves—same thing with everything else. . . . Give paint a chance to assert itself entirely as paint. . . ."

Although Marin is represented in all major American museums (also, an exhibition of his paintings can be seen now at the Marlborough Gallery in NYC), and is generally regarded in this country as a significant 20th-century painter, he is not well known abroad. Last summer I briefly shared a Tuscan hotel balcony with assorted Europeans, including two Belgian newlyweds, both of whom were professionally interested in the theory and exhibition of Modern Art. They paid their respects to contemporary American painting, knew all about Barnett Newman and Kenneth Noland, but had never heard of Marin. As I believe that one good Marin watercolor shows a more profound sense of scale, has more vital content and living energy than can be found on the vast ornamental surfaces of either Newman or Noland, I regret this seeming injustice, though I know that justice in art, as in life, is not guaranteed. I doubt it would have mattered much to Marin. When he was painting Maine, responding to the light and life of that region, making gestures and marks as metaphoric equivalents of the richness before him, he achieved that rare human state—joy. That was enough for him.

Bagpipes

I hadn't learned yet how to beat headaches
and in the middle of our happiness sometimes
my head would beat like two hearts
and you would watch my face empty and only once
in a great while could you put your hands
on my shoulders and save me with reason
and love in your resonant voice. It was
our first flat and it was cold
but hugging the coal fire, burning
like summer, we'd fall asleep over books,
or take a bath together in the impossible
long tub that used up the hot water:
I would get out first and watch you kneel
plunging your dark head underwater, until
your scrubbing made a flood inside of me
and I could rinse you with my salty love
and dry you with my hair. At night we'd visit
a friend, finding her already in bed
covered up in a flowered gown with the clock
set to pour morning tea, still
rosy from excursions she had made that day
and the men who had said a word to her
with no wrinkles on her bone china skin
though she was old as the bones
of St. Andrew; or when we were done
with working, you'd drink brown beer
until your breath was bitter and the smoky pub
scattering men with full bladders, swept
us out with the cigarette ends
into the path of ghosts that could not scare
lovers who held on tight to each other
past the cathedral ruins to the sea:
leaving the dark ripples of the harbor, we'd walk
the long stony pier into the North Sea
and stand high at the edge of the deep water
with invisible countries a stone's throw away,
hearing a music made out of ancient testicles
and breath that the frugal dead had stored away.

JILL HOFFMAN

"IN NEW YORK CITY'S *Central Park / Where no one ventures after dark, / An obelisk points toward the sky / That once watched Egypt ossify. / The obelisk survived the bands / Of vandals and their heavy hands. / It fought the sandstorms toe-to-toe; / It beat Napoleon & Co. / Then someone, for philanthropy, / Transported it to NYC. / Now other cultures like to sit / And scrawl their names all over it.*"

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Up in the Hills with Art

Black Mountain: An Exploration in Community

by Martin Duberman

(Dutton; $12.95)

Black Mountain College of North Carolina began at Rollins College in Florida in 1933 when Rollins asked for the resignation of a tenured professor of classics, John Andrew Rice. Rice stayed fired even after an AAUP investigation found the college in error, and his departure triggered other departures—of both students and faculty. Then someone among the departees learned of a "building complex" in North Carolina that was full of Christians in summer but empty in winter. Soon it was rented for the winter months for $4500 annually and the college began, with Rice as the rector. The chief educational theory at the start was to get as far away from Rollins as possible, that is, to have a learning community rather than a curricular community and to have authority spread around among faculty and students. No trustees.

But Rice as rector proved to be a strong personality, and before long he was accused of power hunger (as were, at one time or another, all of his successors). He was forced to resign in 1938, to be replaced by one Robert Wunsch, more of a committee man than Rice, who succeeded in pushing toward curricular order while at the same time moving the college to a campus of its own, before being forced out in 1945 because of what appears now to have been a framed-up homosexual charge. He was followed for two years by a psychologist named Wallen with even stronger community notions than his predecessors, who resigned when he couldn't stir the community from its isolation, to be replaced by an administrative oldtimer from Rollins named Dreier, then a philosopher named Levy, and then the artist Joseph Albers, Rice's original major appointment in the '30s who was now an old hand in the art of being suspicious of rector power. Albers and the others who led in the period 1945-49 managed to foster some exciting summer sessions, and to make a start at regularizing finances by appointing a board of trustees, but both Dreier and Albers were for their efforts asked to resign (1949) by a majority (five) of faculty members, backed up by a student petition.

Black Mountain thereupon nearly died in 1949, though Buckminster Fuller took over the summer session and built a new dymaxion (his first Black Mountain dymaxion, in the previous summer, had not "risen" and he had dubbed it his "supine dome"). For a couple of years it is extremely hard to discover from Martin Duberman's detailed account who *was* officially rector, but obviously nobody was really in charge until Charles Olson came on the scene; Olson was the dominant figure on campus by 1951, and he managed to preside until the college's demise in 1956.

Something like that. Meanwhile during the 33 years of the college's life, other persons of considerable prominence passed through the place, such as John Dewey, John Cage, Eric Bentley, Robert Creeley, Paul Goodman, Walter Gropius and Merce Cunningham. But sometimes there was almost nobody on campus, and even after World War II when the GI bill was filling institutional coffers all over the country the total population exceeded 100 only briefly. Black Mountain made a big noise in the arts nonetheless, and though Duberman is less interested in the place as an arts center than as an exercise in community, most outsiders will probably continue to think of Black Mountain primarily in terms of its artist-celebrities, and the movements they spawned. They made, it would now seem, small contribution to the art of community *living*, but they certainly did emerge as a community esthetically. It was a community hard to define because several arts were involved and because Black Mountain went through several stages, but its ideology seems down-boilable to an esthetics of immediacy. At one of the summer sessions, for example, a precursor of the happenings of the '60s was "staged," a wild and woolly thing that Duberman gives the full treatment to (he quotes at length contradictory reports from observers), during which, at the very least, John Cage talked interminably from a stepladder on "the relation of music to Zen Buddhism, while a movie was shown, dogs barked, Merce danced, a prepared piano was played, whistles blew, babies screamed, coffee was served by four boys dressed in white . . . and Edith Piaf records were played double-speed on a turn-of-the-century machine."

An uncommon yet characteristic event, that happening, demanding of each participant that he intuitively and spontaneously do his thing, yet aspiring to some larger order that would rise like an exhalation from having the doings all doing at once. Similar demands for the release of primal energy were present in the gospels of the individual arts at Black Mountain, but the happening proved to be the rare occasion where the insistent opposition between solo performances and communal needs met in open combat. The dog seems to have been the best part.

These artists were alternately comic and tragic in their ineptness and intractable individualism as they struggled to survive and prosper together, and the charm and excitement of the Duberman book derives largely from his success in giving us, steadily, a sense of their divided and confused intent, without preaching about it or ridiculing it. For Duberman the book was an experiment in getting *close*, as a historian, to something, and he did indeed get close, not only to the something but to practically everybody seriously identified with it. At the end he says, "I completed the book a few minutes ago. I'm strangely, idiotically, near tears," a statement that gives the flavor of his commitment.

Insiders may have more to complain about in his account than I. My doubts are largely confined to the section about Olson and the Black Mountain poets, where I indulged my insider complex and concluded that Duberman was too soft on them. Charles Olson is a fascinating figure, but I find his poetry terrible and his influence pernicious. Ditto with Robert Creeley, Robert Duncan and the others. Duberman politicly holds back on such a brimstone judgment, saying that he thinks Olson has been and will continue to be admired more for "his human qualities than his talents as poet or essayist"; but his book needs more than the politic here. There's a good deal more to be in tears about at Black Mountain than he tells us, I think;

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at least the noble dream in poetry was not merely destroyed by an awakening, it was a bum dream in the first place. Olson's theory of poetry was a bum dream; it proposed, aside from a rebellion against the closed forms of the past—a rebellion that had already been taking place for 70 years—a wholly intuitive approach to composition, the self flying by the seat of its pants. Noble, to dream that the self does do so. Bum, to dream that an intuited literature will be archetypal and well made and all good things merely because it *is* intuited. And wrong-headed, to encourage little selves to intuit like that. The results are now with us, and though they would have been with us without Olson and Black Mountain, they might not have been with us so stickily.

What Olson encouraged is a literature which on the one hand works as private therapy and on the other imagines itself saving the world. The two motifs don't mix—any more than Black Mountain's larger private-public motifs mixed—and the failure of the mixes is now a trite but still impressive American tragedy.

Duberman is kinder with Black Mountain's esthetic dream, then, than I would be; but toward its dreams of community and education I think he displays a fine balance of sympathy and despair. At the end, for example, he lets us live meditatively with an image of a college trying to get state approval to enroll Korean war veterans by "rushing the same tiny group of students [enrollment was down to four or five] in somewhat different dress from class to class in order to convince V.A. inspectors that Black Mountain was thriving"—lets us live with that and at the same time live with the college's important prefiguring of the "counter-culture" as it fumbled its way to a "value structure that emphasized honesty in human interaction, distaste for an ethic of possession and accumulation, and the reserving of highest respect not for the abstract intellect, but for how it showed itself, was used and useful, in one's life." An exciting book.

Reed Whittemore

COMING

C. Vann Woodward reviews Louis Harlan's biography of Booker T. Washington

Asserting Selfhood

The Harlem Renaissance Remembered

edited by Arna Bontemps

(Dodd, Mead; $6.95)

> We younger Negro artists who create now intend to express our individual dark skinned selves without fear or shame. If white people are pleased we are glad. If they are not, it doesn't matter. We know we are beautiful. And ugly too. The tom-tom cries and the tom-tom laughs. If colored people are pleased we are glad. If they are not, their displeasure doesn't matter either. We build our temples for tomorrow, strong as we know how, and we stand on top of the mountain, free within ourselves. —Langston Hughes

Harlem was burning in the affluent years following World War I. Harlem was afire with the cadences of Marcus Garvey's West Indian speech, the sob of the blues, bathtub gin and the Charleston. They were drawn by the excitement—everybody—black and white, rich and poor, artist and intellectual and entrepreneur, coming from everywhere, getting down. Today Arna Bontemps is highly thought of, as one of the senior scholars, the old gentleman of black letters, but in 1924 he was a young man with a fresh English degree who wanted to write. And upon the publication of his first poem in the NAACP magazine *The Crisis*, he dropped his job as a night clerk in the Los Angeles post office and headed East. Bontemps followed the jazz pulse to Harlem, where he stepped out of the subway at the corner of 125th Street and Lenox Avenue and stood dazzled by sunlight, sound and motion. It was not long before he had adjusted and found his place among the other young, black writers asserting themselves as "free intellectuals who had broken with middle-class backgrounds" and with the "sensibility . . . enforced by American culture and its institutions." Langston Hughes, Countee Cullen, Claude McKay, Zora Neale Hurston, Nella Carsen, Eric Walrond, Jean Toomer, Wallace Thurman—it was a glittering assemblage aimed at "getting at the deeper levels of complexity, density, and variety" of black existence. Now, almost five decades later, Arna Bontemps has edited a collection of 13 essays on the Harlem Renaissance by his students and colleagues.

The Bontemps memoir that precedes the other essays is unpretentious and engaging. It has a warm ring of authenticity that is not sustained throughout the book. Everything put forth in the other essays is true and well researched, but the tone is plainly discontinuous, and the reader searches through countless facts and incidents for a relating thread, a point of view. Young Warrington Hudlin (now a junior at Yale) offers us that in what is unfortunately the last essay in the book, "The Renaissance Re-Examined." Hudlin reminds us, in his extremely articulate piece, that these were not "superhuman architects consciously constituting the period," but "ordinary human beings in the grip of a series of events that would have remarkable historical significance." Finding a "new assertiveness of selfhood" through the Garvey idiom, blacks were coming out—breaking away from the old Dunbar dialect as well as the Victorian "uplift" models provided by Du Bois and others—seeking a truer voice, a truer form, an adequate means of self-expression.

In terms of Afro-American history, this literary era follows the age of Booker T. Washington, and is an age of tension between the old work ethic, and the new demands for appropriate rewards. Even a poet needs food, clothing and shelter—he needs to sell his work; and that is not always easy. "I am what I am and what I may become I am trying to find out." So spoke Renaissance genius Jean Toomer whose novel *Cane*, published in 1923, was a groundbreaker for new form and sensibility. Larry Thompson's most credible presentation, "Jean Toomer as Modern Man," illustrates how Toomer's rejection of racial, regional and sexual restrictions contributed to this lyric creation, today regarded as the masterpiece of the period. In its original printing it sold only about 500 copies; Toomer never wrote

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another novel, and indeed soon slipped off the literary scene altogether. One of the critical questions of the Harlem Renaissance became that of finance. To whom would black writers sell their work? Would they cater to the sensibilities of "old school blacks"? Hudlin suggests that it was a problem of "conditional integration": how to bring together black talent and white capital so that the new literature could grow; and how to develop critical standards by which to judge it.

Mae Gwendolyn Henderson has painted a vivid "Portrait of Wallace Thurman" as one of the "most fascinating and seductive of the Renaissance figures," "bohemian, erotic" and brilliant in every way. Writing in *The Independent* and *The New Republic*, Thurman besought the black writer to "introduce a Negro note into American literature . . . by writing of certain race characteristics and institutions." He also hoped to "establish sound artistic judgment and criticism for the literature of the Renaissance," and he derived his artistic standards by reading authors like Proust, Melville, Tolstoy, Dostoyevski and Henry James—*11 lines at a time.* In 1926 Thurman invested everything he had in *Fire*, "a new experimental quarterly devoted to . . . younger Negro artists." Unlike *The Crisis*, and other politically oriented publications, *Fire* was "purely artistic in intent and conception." The idea was that it would "burn up a lot of old, dead, conventional Negro-white ideas of the past, *epater le bourgeoise* into a realization of the younger Negro writers and artists—gifted people like Zora Neale Hurston, Gwendolyn Bennett and Langston Hughes, all of whom were associated with the founding of *Fire*. The magazine published one issue before going under. Ms. Henderson quotes Benjamin Brawley, black literary critic of the Renaissance, as saying of *Fire:* "Its flame was so intense it burned itself up."

She has painted an exciting picture of this man who was a major influence among the younger black literati, or as he called them "niggerati," of that age. A heavy gin drinker, and in deep debt following the magazine's failure, Thurman was an unhappy man who never lived up to his winged "Shelleyan" expectations of himself. Like his magazine he burned himself up, dying in 1934 of "tuberculosis and dissipation" in a charity ward of City Hospital.

Luckily for the succeeding generation of black writers, Charles Spurgeon Johnson was less concerned with burning up

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old ideas than "transforming the vague hope for a future into a material means for making that future possible." Patrick Gilpin's very solid essay takes a look at one of the behind-the-scenes figures of the period in "Charles S. Johnson: Entrepreneur of the Renaissance." Johnson was a quiet, scholarly man who devoted his life toward the betterment of race relations. From 1923 to 1927 he served as editor of the National Urban League's *Opportunity*, a monthly backed by the Carnegie Corporation which sought to "depict Negro life as it is with no exaggerations. We shall try to set down interestingly but without sugar-coating or generalization the findings of careful scientific surveys and facts gathered from research." And it did that, reporting on discrimination and bad social conditions in the black community but also devoting much space to the coverage of "black culture in the United States and the world at large."

It was Langston Hughes who wrote of Johnson that "he did more to encourage and develop Negro writers during the 1920s than anyone else in America." Johnson believed that "literature had always been a link between the races," and it was he who brought the attention of white publishers to focus on the phenomenon occurring in Harlem. He did so by sponsoring yearly literary contests with prizes offered in the categories of short story, poetry, play, essay and personal experience sketch. The panel of judges included some of the major figures in the white literary establishment, and competition was keen. The contests were well publicized and the work of winners was snatched up for publication. Unfortunately, the contests ended in 1927 when Carnegie discontinued its grant.

Gilpin does not ignore the criticism of Robert L. Allen and Harold Cruse that "the fuller development of black culture has too often been dependent upon foundations and white patrons," but he amply defends Johnson's place in history by quoting the eloquent words of John O. Killens:

> Why is it important for us to know of Paul Robeson and Dr. Du Bois and the men and the women of the Harlem Renaissance? Because they are a vital and heroic part of us. Because a people who are ignorant of their history are condemned to repeat their history. Because so many Black young people believe that the Black Liberation Movement began two or three hours after they joined

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> the issues and that they themselves invented militancy. . . . We need desperately to know that this generation is not the first to produce artists and writers who identified with Africa and proclaimed that Black was beautiful. . . .

In other words the struggle of the Renaissance writers strengthened the base which black publishers and writers are adding to today. Let it be known that the Black Liberation Movement did not begin "two or three hours" ago in Afro-American history. Let us study that history and avoid the repetition of mistakes. And let no one "deny the importance of the 'New Negro' in the development of the 'New Black Man.' "

The Harlem Renaissance Remembered is uneven, but the originality and excellence of a few of the essays, together with its fine bibliography, make it a real achievement.

Jodi Braxton

The Dearest Friend

Beaverbrook

by A. J. P. Taylor

(Simon & Schuster; $12.95)

For a friend to write a biography of another friend is always a difficult and delicate task. Alan Taylor met Lord Beaverbrook rather late in life when the latter was well into his 70s and Taylor's senior by 25 years, but their friendship grew strong and fast. This "old man," Taylor states proudly in his introduction, became "the dearest friend I ever had. . . . I loved Max Aitken Lord Beaverbrook." It's no wonder. Beaverbrook was a most extraordinary person.

Born in Canada in 1879 of modestly poor parents, Max Aitken had made himself a millionaire by the age of 30 by selling bonds and through various investments and mergers in steel and cement. He was unknown in England when he went there in 1910 but within a year had become friends with Rudyard Kipling and Bonar Law, a fellow Canadian and a powerful figure in Britian's Unionist party—and he was elected to the House of Commons.

By the end of 1916 the government of Prime Minister Asquith was forced to resign and Lloyd George was elevated to the premiership. It was a great political upheaval for Britain, comparable in significance to the fall of Bethmann in Germany or the tsar in Russia the following year. Because of his intimacy with Bonar Law and Lloyd George and through the articles he inspired in the press, Aitken played a considerable part in the intrigues which brought a change in government. For his troubles Lloyd George gave Aitken two rewards. The first was to elevate him to the peerage (such honors were easy to come by under Lloyd George). Aitken chose Beaverbrook as his title, taking the name from a stream in England where he had fished as a boy. His second reward was to be appointed minister of information. His work at the ministry soon convinced him that he was not cut out for administrative politics. But he did find there that he had an appetite for propaganda. It was as a press lord that Beaverbrook was to become best known for the rest of his days.

Beaverbrook knew nothing about newspapers when he bought the *Daily Express*, but under his proprietorship—he liked to call himself "the principal shareholder"—it gained a huge readership among all sectors of British society. He relied on advertisements as a main source of revenue—quite an innovation in those days—and his newspaper made money. He used the newspaper to propagate his views, but propaganda without profit was not his game. After all, Beaverbrook was the author of the sentence, "Shelley had genius, but he would not have been a success on Wall Street." With profits he paid his staff extremely well—"If you work for me, your wife will soon be wearing mink"—and won their great personal loyalty. When he decided to expand to a Sunday edition he had enough faith in his idea to sink two million pounds from his fortune to help the *Sunday Express* build enough momentum to catch on. It did catch on and in doing so became the first British Sunday paper with a mass readership that did not rely on "pornography" or scandalous stories to hold on to its circulation. He later added the *Evening Standard* to his newspaper empire and attracted to it such distinguished columnists as Harold Nicolson and Robert Bruce Lockhart, and, the biggest catch of all, the political cartoonist David Low. He wanted his paper to be informative and so kept a larger staff of foreign correspondents than any other newspaper. He made his newspapers attractive and the news entertaining. He would do almost anything to increase the circulation of his newspapers. Once, he even instructed the editor of the *Evening Standard* to cut down on the space given to the opera since only a lot of "duffers" went to see it and most of them were "too old to be out in the cold night air" anyway. What Barnum and Bailey were to the circus, Beaverbrook was to the newspaper.

Like all press lords, Beaverbrook used his newspapers to win political influence and publicize his pet causes. And his causes covered almost all the great issues of his day. He was one of the first to advocate dominion status for the south of Ireland. He was a consistent believer in Anglo-Russian accord, and in the 1950s opposed Britain's participation in the Cold War just as firmly as he had opposed intervention in Russia at the end of the First World War. He was an isolationist and fought against Lloyd George's projected war with Turkey in 1922, opposed Britain's interference in Italy's projected war with Ethiopia in 1935, and supported Chamberlain's settlement at Munich in 1938 because a European war had been averted. He rejected the League of Nations because he saw it only offering war as a means of securing peace. In the last years of his life he was against Britain joining the Common Market. Britain, he believed, should turn her back on Europe and instead build her armaments and embrace the Empire. He believed in the economic unity of the British Empire, and of all his causes the "Empire Crusade" he launched in the 1930s was the one dearest to his heart. With such a record it is easy to see why A.J.P. Taylor and Beaverbrook got on well together. Except in the case of the Empire Crusade they are political soulmates.

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Once World War II started in earnest Beaverbrook joined Winston Churchill's coalition government as minister of aircraft production. He was given the task of producing the planes that were needed to win the Battle of Britain and he succeeded. Within a four-month period in 1940 nearly a thousand planes were made operational under his direction. "Nobody knows the trouble I've seen," Beaverbrook added to the bottom of a memorandum that described this achievement. "I do," Churchill added to the report after he had seen it.

With the war's end Beaverbrook withdrew from public life as he had known it. He still had his causes but he took absentee control of his newspapers. He traveled a great deal and became chancellor of the University of New Brunswick. He spent his final years writing books and he published six of them (mostly memoirs) between 1956 and his death at the age of 83 in 1964. "Not many men have shown such fertility or originality after they have passed the age of seventy-five," Taylor comments.

Despite his obvious affection for Beaverbrook, Taylor's detachment is convincing. "Publish it. Publish the lot. Always publish everything about me good or bad," Beaverbrook said when speaking about his past actions. Taylor has followed his hero's instructions to the letter. After devouring the vast collection of Beaverbrook's private papers, Taylor's published version of what they contain does tell the bad as well as the good. And in the process he has discovered much new information (thereby invalidating Taylor's own law that there are no secrets in secret archives). He tells his story in a most enjoyable way. Taylor's sparkling wit and acid comments fill almost every page. The only problem is that he has relied almost exclusively on Beaverbrook's private papers to tell his story. In doing so he is too willing to take Beaverbrook's estimation of his own importance at face value whereas "Max, my beloved friend" (as Taylor calls him) was something of an egomaniac.

Taylor's bias gives us, accordingly, Beaverbrook's accumulation of wealth as a genuine rags to riches story, the achievement of a financial wizard of fanatical integrity. (It was indeed that, but Beaverbrook was also a financial rascal who outwitted other financial rascals by spreading false rumors and "using the shillelagh in business.") The bias also presents Beaverbrook's election to Parliament after only a year in England as the extraordinary achieve-

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ment of an extraordinary personality, failing to emphasize that his friends admired his wealth perhaps even more than his wit. In recommending Aitken to a friend, Bonar Law commented: "Max Aitken is enormously rich." F. E. Smith, later Lord Birkenhead, said of Aitken: "Max is a very clever fellow and a very good fellow—and a very rich fellow too." Again, Taylor does not ignore such statements, he merely sees little significance in them. Aitken was soon given a knighthood in anticipation of the money he was expected to donate to the Unionist party.

In telling the tale of Aitken's part in the elevation of Lloyd George to the premiership Taylor so exaggerates his subject's role that one gets the impression Aitken singlehandedly caused the destruction of Asquith's government, with perhaps a little help from fate. And, in dealing with Beaverbrook's role as a press baron, Taylor asserts that many of the policies Beaverbrook advocated "appear in retrospect startlingly sensible," yet one may question how sensible Beaverbrook was to remark of the dismemberment of Czechoslovakia, "Well, isn't Czechoslovakia a far-away country?"

For a friend to write a biography of another friend is indeed a difficult and delicate task.

Donald T. Rotunda

In Brief

The Great American Ice Cream Book by Paul Dickson

(Atheneum; $7.95)

Not a great but a small ice cream book. The author appears to have had trouble filling its 195 thin pages, but he managed it—with small jokes, elementary history and finally—the meat of the book—recipes. One of his major assertions is that a year's supply of ice cream for the men, women and children of the US would more than fill the Grand Canyon, assuming that each of us consumes 23 quarts a year. Unfortunately the whole higher mathematics department of *The New Republic* has been unable to ooze out even a half cubic mile of the goo from that statistic, yet the Grand Canyon is 283 miles long, four to twelve miles wide, and over a half mile (average) in depth. Dickson should have stuck to recipes.

People of Paradox by Michael Kammen

(Knopf; $8.95)

People of Paradox races from one subject to another, and ekes out its little paradox for each, to do justice to its title. The wilderness, 19th-century militia, the colonial press, Esalen, abolitionism, Lincoln's views on slavery, Emerson, Unitarianism, Charles II and FDR—most of the unresolved tensions of American history find their way into Professor Kammen's table talk. He says he has tried to "orchestrate" the ambiguities.

Somewhere in the middle he writes about Americans as "anti-authoritarians in search of a super-legitimacy." Whatever that means he never makes clear, but it leads him to expound the ambiguities of our "unstable pluralism." Kammen believes that the pluralism we celebrate in our past we loathe around us today. Our historical obsession with political freedom comes, in part, out of a recoil from pluralist confusion and complexity. Kammen seems to think the American search for order is doomed to fail—perhaps doomed since the Great Awakening—and the cult we make of pluralism is a lame try to trick some stable political identity out of a sham ideology. Pluralism, after all, is not a coherent set of beliefs but a "singular-collective postulate" of many diverse political positions.

Most of these Great Interpretations interfere with Kammen's own gifts for small bits of erudition and epigram. The book concentrates on the first two centuries of American history, throwing out *bon mots* about colonials that refer us back to the contemporary scene. He has an almost Boswellian ear for other men's one-liners, especially Carl Becker's. His own insights illustrate what he calls "collective individualism." American self-reliance, for example, is really group-reliance: not the "I can" but the "we can" variety. Yet we don't believe in organism, he argues, only in organization.

Dialectic doesn't seem to take Kammen as far as he would like, but if you've been meaning to brush up your Tocqueville, you will find his work an engaging rehash of the national malaise.

The Stepford Wives by Ira Levin

(Random House; $5.95)

Ira Levin is a practiced storyteller engrossed in the female condition. In *The Stepford Wives* he has attempted to duplicate the success of *Rosemary's Baby*, which concerned itself with a young woman unjoying witchy pregnancy. His new mystery swirls around the dangers befalling those females who advocate emancipation, equality, *et al.* The setting of *Stepford Wives* is a suburban enclave within commuting distance of executive suites. Its principal characters are stereotypes: the professional husband, young matrons, rosy children and Mephistophelian scientists. Under the spreading two-car garage lurks evil. After a few months' residency in this upper-bracket Eden, all the women are strangely transformed from potential Thinkers into concupiscent spouses and chauffeuring mothers. Moreover, they become startlingly similar in appearance: stately, melon-breasted, round-rumped and cherry-lipped. The rising terror of the heroine, as she attempts to escape, constitutes the action of the novel. What happens to her shouldn't happen to Bella Abzug.

In his preface to the novel, Mr. Levin quotes Simone de Beauvoir: "Today the combat takes a different shape; instead of wishing to put man in a prison, woman endeavors to escape from one. . . . Now the attitude of the males creates a new conflict: it is with a bad grace that the man lets her go." Though this may be Mr. Levin's belief, *The Stepford Wives* is hardly the vehicle for expressing it. He has described too attractively the ecologically pure suburb, the crew-cut lawns, the $50,000 homes and the eclectic library to equate these in the reader's mind with a new Devil's Island manipulated by husbands.

Lloyd George: A Diary by Frances Stevenson

(Harper & Row; $10)

In 1912, when David Lloyd George was chancellor of the exchequer, he asked Frances Stevenson to be his private secretary "on his own terms, which were in direct conflict with my essentially Victorian upbringing," she wrote. Her heart eventually conquered her head, and she became his secretary and mistress. She remained with him through

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his years as prime minister (1916-22) and afterwards.

Her diary is a love story, but it is also an interesting political document. One finds wandering through its pages the major international actors of Lloyd George's years in power, such as Clemenceau, DeValera and Wilson, and one also learns his private, and often unflattering, estimates of their worth. One also gets an insider's account of the political maneuverings that caused Lloyd George to be called the "Welsh Wizard" (by his admirers) or the "Goat" (by his detractors). Although the diary is neither a complete nor comprehensive work of political history, it contains some fascinating details about persons and events of the sort often omitted, or simply missing, from the work of archivists. We are given a special understanding, for example, of the character of the British Foreign Office from Frances Stevenson's telling us about the British delegation to France which had forgotten to take along someone who could speak French.

In 1943, Lloyd George and Frances Stevenson were married. The last entry in her diary records their visit to the House of Commons in May 1944 to hear a speech by Prime Minister Winston Churchill: "The House gave him [Lloyd George] a touching welcome. I wonder if they realise how near it may be to his last appearance." Later, the two erstwhile political adversaries met, and Lloyd George, then 81, soon turned to criticizing the government's policy, but Churchill, she wrote, "managed to turn the conversation to his pictures: we parted very happily. It was a perfect spring day, but as we drove through the smiling countryside there was a heavy sadness in my heart." The following spring, Lloyd George was dead.

Kauffmann, *from page 22*

to distinguish himself, we get films like *Oh! What a Lovely War*. His single best stroke of luck was the discovery of Simon Ward, who plays the young Churchill—not the boy nor the adolescent, who are played by others. Ward not only convinces physically as Churchill, he has some personality of his own. No mean trick. But there was bad luck with the parents. Robert Shaw, the Lord Randolph, is as good an actor as always, especially in the scenes of his going syphilitically mad; but he is not in manner or speech the son of a duke. In American terms, he doesn't come from Marlborough country. Compare him with Harry Andrews as the earl in *The Ruling Class*, and you see a class distinction important to this film. Origin in aristocracy, in all that the term conveys, is basic to the understanding of Winston. Shaw hasn't got it.

Anne Bancroft plays Lady Churchill, presumably because Jennie was American-born. Why not, on the same ground, Maureen Stapleton? Bancroft has shown, ever since *Two for the Seesaw* and *The Miracle Worker*, that her range is very limited and that even this range is insecure. The *Putsch* to make her a Great Lady of the theater was both silly and harmful to her. Her role in this film is not exactly brilliantly written—it's mostly the Darling-breakfast-is-getting-cold sort of thing—but whatever could have been made of it through grace, charm and imagination is missed. Instead, we get a series of slightly varied vacuous smiles and some wounded high school hauteur.

The story goes up to Churchill's Parliamentary debut. It concentrates on his adventures in India and Egypt and his famous escape from the Boers in South Africa. The author himself apparently appreciated the film aptness of his life: according to the program booklet, it was he who first suggested *My Early Life* to Foreman. Well, he was right. Aneurin Bevan once called Churchill "a man of petrified adolescence." Too sharp, perhaps, but the truth in the epithet—and in Balfour's remark—is what makes this picture a tolerable entertainment.

Books. William Fadiman's *Hollywood Now* (Liveright; $6.95) is a hardheaded survey of what is and is not cooking on the Coast. Fadiman, who has had many years of executive experience in the studios, casts a cold eye that has earned a right to coldness. Principally he slices the idea that there has been fundamental change, that there is a New Hollywood.

He analyzes professions in turn—the agent, the director, the actor, the writer, the producer—so ruthlessly that we wonder yet again how we ever got the pictures that we like. The most startling chapter for many readers will be that on the agent. He describes how the disappearance of the old-time studio left an executive-power vacuum that the agent has filled—as distinct from the money vacuum that the financial-commercial conglomerate has filled. And he underscores the production troubles caused by agents who have become producers, not because of their qualifications but because of client cards they hold.

I would question a few of his statements. For instance, it may be literally true that there is "no analogue in foreign lands" to our censorship code, but Britain rates every film and most countries have some kind of censorship. And is it true that the "baleful influence" that television has on American films "is barely existent overseas thus far"? I hear different from most foreign film people.

Still his main argument sticks hard: change is on the surface, profit is still king, and in one way the situation is worse than before because, though money usually came from banks, the old studios were run by film men, not oil companies. Fadiman explains the "personal" films from Hollywood in the last four or five years as the gropings by financiers for an audience which is no longer predictable. Surely true; but possibly he doesn't give enough weight to the impulses of the filmmakers who sought the financing, or to the possibilities inherent in the fact that the audience is acquiring some discrimination, some appetite to see its own life honestly explored on the screen. (Or is education, including film education, a *complete* farce?)

He ends with a clear call for subsidy. Quite rightly. The US is the only filmmaking country in the world without some kind of subsidy for its film industry. Fadiman supports what can be called the Swedish plan, subsidy only for films of quality. If there were nervousness about government money, he

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says, the industry could tax itself for a fund. Yes, the industry *could*. . . .

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